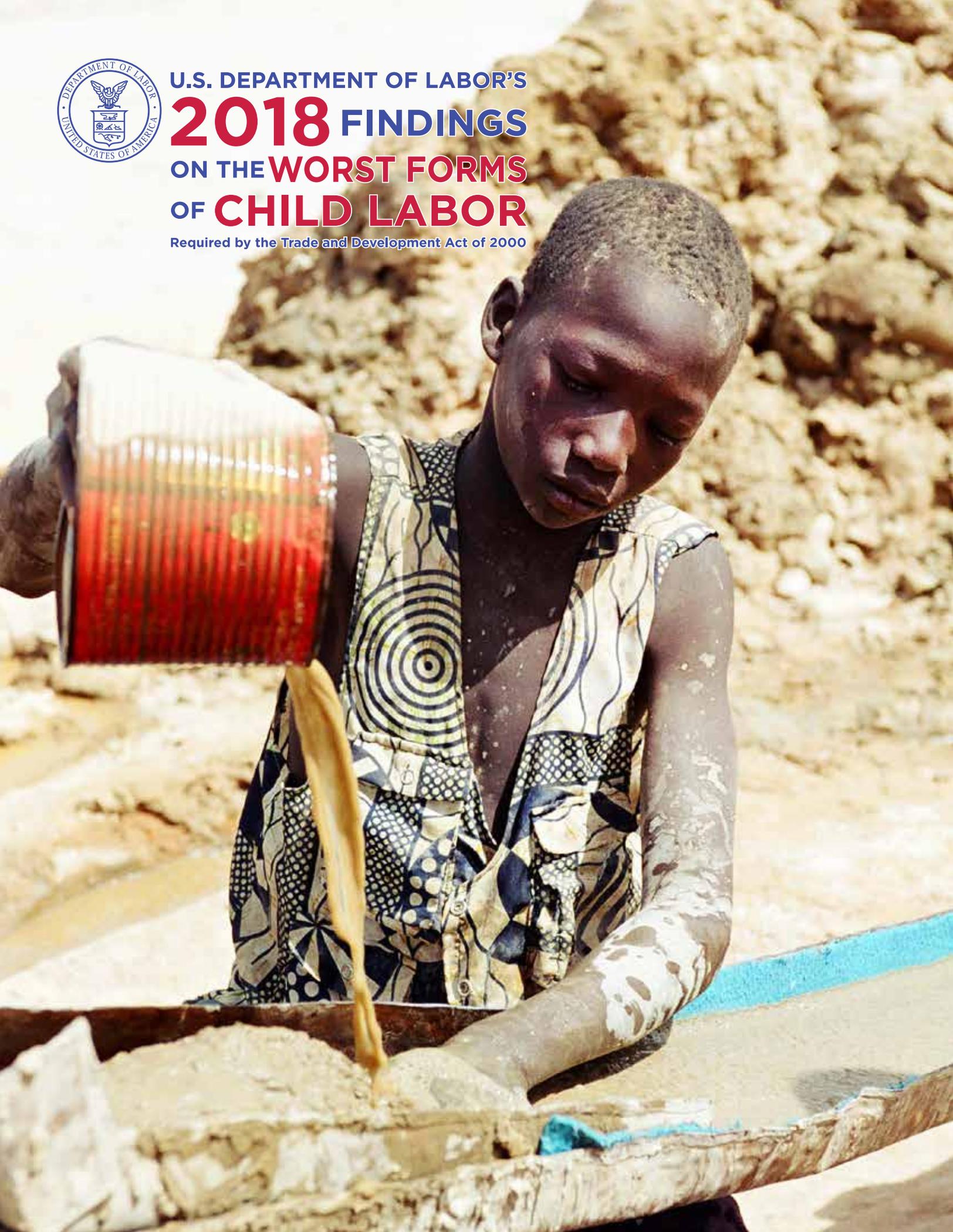




U.S. DEPARTMENT OF LABOR'S
2018 FINDINGS
ON THE **WORST FORMS**
OF **CHILD LABOR**

Required by the Trade and Development Act of 2000



DOWNLOAD ILAB'S **COMPLY CHAIN** AND **Sweat&Toil** APPS TODAY!



COMPLY CHAIN

8 steps to reduce child labor and forced labor in global supply chains!

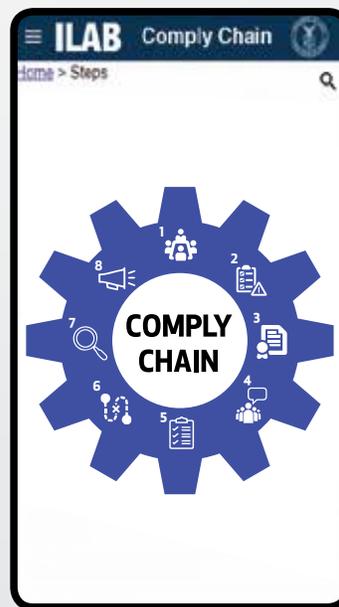
NEW! Improved user friendliness to reduce loading times and storage size!

NEW! Bookmark the step you're on!

NEW! PDF conversions now available!

Explore the **key elements** of social compliance systems

Learn from **innovative company examples**



Discover **best practice** guidance

Assess **risks** and **impacts** in supply chains

*¡Ahora disponible en español!
Maintenant disponible en français!*



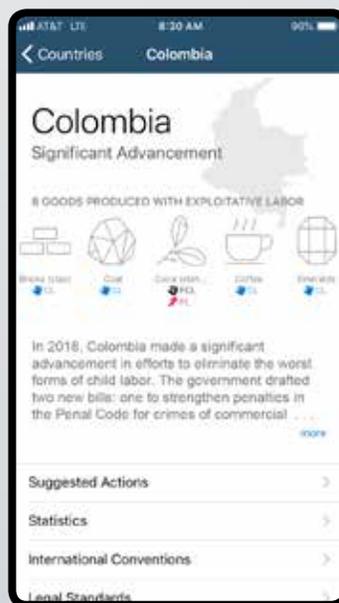
Sweat&Toil

1,000+ pages of research in the palm of your hand!

NEW! Updated country profiles!

Check countries' **efforts** to eliminate child labor

Review **laws** and **ratifications**



Browse **goods** produced with child labor or forced labor

See what governments can do to **end child labor**

Find child labor **data**



How to Access Our Reports

We've got you covered! Access our reports in the way that works best for you.

On Your Computer



All three of the the Department's flagship reports on international child labor and forced labor are available on the USDOL website in HTML and PDF formats, at <https://www.dol.gov/endchildlabor>. These reports include *Findings on the Worst Forms of Child Labor*, as required by the Trade and Development Act of 2000; *List of Products Produced by Forced or Indentured Child Labor*, as required by Executive Order 13126; and *List of Goods Produced by Child Labor or Forced Labor*, as required by the Trafficking Victims Protection Reauthorization Act of 2005. On our website, you can navigate to individual country pages, where you can find information on the prevalence and sectoral distribution of the worst forms of child labor in the country, specific goods produced by child labor or forced labor in the country, the legal framework on child labor, enforcement of laws related to child labor, coordination of government efforts on child labor, government policies related to child labor, social programs to address child labor, and specific suggestions for government actions to address the issue.

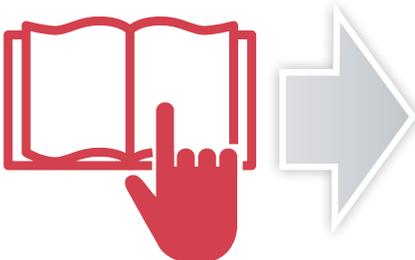
On Your Phone



The Department's Sweat & Toil mobile application contains more than 1,000 pages of research from all three reports. Sweat & Toil helps you easily sort data by region, country, assessment level, good, and type of exploitation, all without the need for an internet connection. You can download the free app from Apple's App Store or the Google Play store and access the data on our website: <https://www.dol.gov/agencies/ilab/apps>.

The Department's Comply Chain: Business Tools for Labor Compliance in Global Supply Chains mobile application contains best practice guidance for companies on ways to develop strong social compliance systems to reduce child labor and forced labor in supply chains. The application includes eight modules ranging from stakeholder engagement to code of conduct provisions, and from auditing to remediation to reporting. Companies that are new to social compliance can work through the modules in order, and more experienced companies can select modules based on their continuous improvement goals. You can download the free App from Apple's App Store or the Google Play store, or access it on the Department's website: <https://www.dol.gov/agencies/ilab/apps>.

On Paper



Findings on the Worst Forms of Child Labor report is available in a hardcopy magazine format, which provides an overall summary of the report, regional findings related to meaningful efforts made and gaps for countries to address, and the assessment levels of each of the 131 countries. In addition, our *List of Goods Produced by Child Labor or Forced Labor* also is available in hardcopy format. Send an email to GlobalKids@dol.gov to request hard copies or download them from the Department's website at <https://www.dol.gov/ilab/reports>.

On the cover:

© ILO/Crozet M.

Washing ground stone to extract
gold nuggets. Goldmines of
Komabangou. Niger. November 2003.



© age fotostock / Alamy Stock Photo
Shoeshine boy. Guatemala. May 5, 2009.

Foreword



Patrick Pizzella
Acting U.S. Secretary of Labor

At the G20 Leader's Summit in Buenos Aires in September 2018, the U.S. Department of Labor signed on to a strategy to eliminate child labor, forced labor, human trafficking, and modern slavery globally. It did so because eliminating child labor and forced labor is the right thing to do and is a priority for the Trump Administration. The Department takes seriously our enforcement of labor rights included in all U.S. free trade agreements and preference programs, including prohibitions on child labor and forced labor.

Exploitative child labor is inexcusable—it robs children of their childhoods, restricts their ability to attend school, and undermines the efforts of governments and employers that play by the rules. Not only are these outcomes unacceptable for children, but workers in the United States and in other countries should not have to compete with unscrupulous producers who use child labor or forced labor. These reprehensible practices undercut the higher standards we maintain and that are needed to safeguard the well-being of our workforce here at home and to protect vulnerable children and their families from exploitation in countries around the world.

The Department's *Findings on the Worst Forms of Child Labor* assesses government efforts to eliminate child labor in 131 countries and territories. More importantly,

it provides concrete recommendations on areas where additional efforts are needed in order to make meaningful progress, including in labor and criminal law enforcement.

For more than 25 years, the Department's Bureau of International Labor Affairs has funded initiatives to combat child labor and forced labor in more than 90 countries, including by increasing enforcement capacity, researching the nature and extent of these problems, and supporting policy actions to protect children and adult workers from labor exploitation. These projects have helped demonstrate effective approaches that have been replicated and expanded by many governments. The Department also worked with private sector and civil society actors to support their efforts to confront this problem.

As the Department's experience has shown, it will take a broad-based, coordinated push from all sides to accelerate progress and achieve the goal of eradicating child labor worldwide. Let us work together to do the right thing for children—and to do right by our workers.

Patrick Pizzella
Acting Secretary of Labor
September 2019



Martha E. Newton, Deputy
Undersecretary for International Affairs

One hundred years ago, in early 1919, representatives from governments around the world came together to draft the Constitution of what would become the International Labor Organization, powerfully asserting that “the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries.” These first principles regarding the world of work inspired global action, including at the U.S. Department of Labor. The Department’s Bureau of International Labor Affairs (ILAB) has worked on these issues globally for more than 70 years, and that includes more than 25 years of concerted efforts to end child labor and forced labor.

One of the ways we carry out these principles today is by shining a spotlight on child labor and forced labor around the world, and supporting innovative ways to eradicate these abuses. It is part of our mission at ILAB to ensure a fair global playing field for workers in the United States and around the world by combating international child labor, forced labor, and human trafficking.

This latest edition of our flagship report, the 2018 *Findings on the Worst Forms of Child Labor*, mandated by the Trade and Development Act of 2000, includes more than 1,900 recommendations that governments can take to address child labor, including nearly 1,200 that concern improvements in labor and criminal laws and enforcement. This and more than 1,000 pages of research also are available via a mobile app, called Sweat & Toil.

What the research shows us is that despite global efforts, child labor remains a problem. About 152 million boys and girls ages 5 to 17—more than double the entire child population in the United States—are involved in child labor; half of those are in hazardous work that endangers their safety, health, and moral development.

To end these objectionable abuses requires strong resolve. It requires governments to pass laws that protect against labor exploitation and to convert those laws into adequate enforcement practices. It requires investing adequately in their labor inspectorates and doing a better job of prosecuting perpetrators of child labor and forced labor.



© USAID/Alamy Stock Photo
Young Kenyan girls smile at the Johari Junior
Academy, Nairobi, Kenya, May 6, 2013.

Acknowledgments

The U.S. Department of Labor's Bureau of International Labor Affairs (ILAB) published this report under the leadership of Martha Newton, Deputy Undersecretary for International Affairs; Mark Mittelhauser, Associate Deputy Undersecretary for International Affairs; Grant Lebens, Chief of Staff; Marcia Eugenio, Director of the Office of Child Labor, Forced Labor, and Human Trafficking (OCFT); and Kevin Willcutts, Deputy Director, OCFT.

Chanda Uluca, Rachel Raba, and Austin Pedersen managed the research, writing, and production of this report, with major contributions from Fan Yang, Dan Arp, James Gyenes, Thomas Szymanski, and Caitlin Harwood. The following OCFT staff carried out the underlying research that made the report possible: Ahoura Afshar, Marco Campos, Marina Colby, Claudia Guidi, Erica Herrmann, Jacqueline Jesus, Yune Lee, Kyle Livingston, Teodora Mladenovic, Jennifer Oetken, Caleb Owen, Leyla Strotkamp, Sarah Sunderlin, Jon Underdahl-Peirce, and Pilar Velasquez. Tina Faulkner, Brandie Sasser, and Tanya Shugar edited critical portions of the report. Alexa Gunter, Oryza Astari, Daisy Flores, and Julia Reinitz provided vital research and administrative support.

Other personnel within OCFT who made important contributions include Christine Carlson, Kathryn Chinnock, Miles Copley, Lorena Davalos, Cortney Donnalley, Rana Dotson, Marisa Ferri Light, Carolyn Huang, Quinn Marschik, Eileen Muirragui, Ingris Ramos, Sherry Richmond, Doris Senko, Pamela Wharton, Shelley Stinelli, and Honoré Tchou.

Micole Allekotte, Deborah Birnbaum, and Derek Baxter from the Department's Office of the Solicitor, along with Jay Berman from the Office of the Assistant Secretary for Policy, made major contributions. Other staff from ILAB, the Employment and Training Administration, the Executive Secretariat, the Office of Public Affairs, the Office of the Solicitor, the Office of the Assistant Secretary for Policy, and the Wage and Hour Division who contributed include Olaoluwa Abina, Giorleny Altamirano Rayo, Andy Bailey, Ryan Carrington, Donna Chung, Pat Del Vecchio, Cleveland Fairchild, Jane Garrido, Keith Goddard, Shannon Golden, Jennifer Goodyear, Ashley Higgins, Rob Hines, Tamara Hoflejer, Emma Laury, Marie Ledan, Steve Marler, Kelsey Massey, Katy Mastman, Ed McCarthy, Tecla Murphy, Everett

Murtagh, Diana Pineros, Carlos Quintana, Egan Reich, Crispin Rigby, Cindy Riggs, Carolina Rizzo, Katie Roth, Bob Shepard, Pablo Solorio, Philip Vieira, Laura Van Voorhees, Halima Woodhead, Katherine Zhao, and Anne Zollner.

Personnel at the U.S. Department of State's regional bureaus; embassies and consulates around the world; Bureau of Democracy, Human Rights and Labor; and the Office to Monitor and Combat Trafficking in Persons, along with the United States Trade Representative, coordinated valuable research and reviews of the report. Personnel from these agencies who made significant contributions include Amy McGann, Sara Epstein, Jason Vorderstrasse, Jessica Chesbro, and Taylor Mott.

Karen Cleek and Francis Knab of Graphic Visions produced the report's graphics and layout, and Rob Fernandez, Suteera Nagavajara, Patricia Vazquez, Shannon Conrad, and Marina Ratchford of ICF made significant contributions to the copyediting, fact checking, and technical editing of the report. With support from the Department's Office of Public Affairs, Colton Daily, Saliha Keddache, Praveen Bhatt, and Aby Chalil of Zolon Tech Inc. and Optimo Information Technology updated the Sweat & Toil and Comply Chain mobile application data from the report.

Photographs in this report are used with permission from AFP, age fotostock, Alamy Stock Photo, Anmar, Anadolu Agency, Joerg Boethling, Marcel Crozet, Marc Dozier, Getty Images, Bartosz Hadyniak, hadynyah, Hemis, ILO, imageBROKER, iStock.com, Florian Kopp, Franck Metois, Shawn T. Moore, Ali Ihsan Ozturk, Dr. David Parker, Partners of the Americas, Srdjan Randjelovic, Reuters, Noorullah Shirzada, Shutterstock, Soe Zeya Tun, UNICEF, and USAID. All other photos were taken by the Department's staff.

Copies of this and other reports in ILAB's child labor and forced labor series may be obtained by contacting the Office of Child Labor, Forced Labor, and Human Trafficking, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW, Room S-5315, Washington, DC 20210. Telephone: (202) 693-4843; Fax: (202) 693-4830; e-mail: GlobalKids@dol.gov. The reports are also available on the web at <http://www.dol.gov/ilab/>. Comments on the reports are welcome and may be submitted to GlobalKids@dol.gov.



© Ali Ihsan Ozturk/Anadolu Agency/Getty Images

Children between 8-12 years old walk 35-50 kilometers carrying wheels used to twist hemp fiber inside a cave. Gaziantep, Turkey. April 1, 2014.

Table of Contents

FOREWORD

ACKNOWLEDGMENTS

PURPOSE OF THIS REPORT	1
RESEARCH FOCUS	1
Country Coverage	1
Population Covered	1
Reporting Period	1
Type of Work	1
STRONG ENFORCEMENT: A CRITICAL TOOL FOR COMBATING CHILD LABOR	3
Good Laws: A Necessary Precondition	5
Capacity-Building: Fuel For On-The-Ground Change	7
The Importance of Partnerships	9
Moving the Ball Forward on Enforcement	11
ESPACIOS PARA CRECER: EDUCATION TO END CHILD LABOR	14
Promising Beginnings	16
Keys to Success	17
A Bright Future	18
THE YEAR IN REVIEW: STRIVING TO MATCH REALITY TO ASPIRATIONS	23
Meaningful Efforts	27
Major Gaps	32
THE U.S. EXPERIENCE	34
The Federal Minimum Ages for Work	35
Wage and Hour Division	37
Employment and Training Administration	37
2018 IQBAL MASIH AWARD CO-RECIPIENTS	38
TERESA MARTINEZ ACOSTA	39
STEPHANIE ODEGARD	40
REFERENCES	41
APPENDIX 1: ACRONYMS AND ABBREVIATIONS	43
APPENDIX 2: DEFINITIONS RELATED TO CHILD LABOR	46
APPENDIX 3: ILO CONVENTIONS RELATED TO CHILD LABOR	49
APPENDIX 4: HOW TO READ A COUNTRY PROFILE	50
APPENDIX 5: COUNTRY ASSESSMENT CRITERIA	54
COUNTRY ASSESSMENTS, BY ASSESSMENT	56
COMPARISONS IN ASSESSMENTS FROM 2017 TO 2018, BY COUNTRY	61
APPENDIX 6: LAWS AND RATIFICATIONS, BY COUNTRY	66

APPENDIX 7: REFERENCE MATERIALS KEY CONCEPTS AND DEFINITIONS	76	COMOROS	369
APPENDIX 8: RESEARCH FRAMEWORK AND ORGANIZATION OF COUNTRY PROFILES	85	CONGO, DEMOCRATIC REPUBLIC OF THE	377
APPENDIX 9: TDA GUIDANCE QUESTIONS	94	CONGO, REPUBLIC OF THE	390
REFERENCES	98	COOK ISLANDS	399
COUNTRY PROFILES	101	COSTA RICA	403
AFGHANISTAN	102	CÔTE D'IVOIRE	413
ALBANIA	114	DJIBOUTI	425
ALGERIA	125	DOMINICA	433
ANGOLA	133	DOMINICAN REPUBLIC	439
ANGUILLA	141	ECUADOR	453
ARGENTINA	145	EGYPT	463
ARMENIA	158	EL SALVADOR	471
AZERBAIJAN	167	ERITREA	482
BANGLADESH	176	ESWATINI	490
BELIZE	187	ETHIOPIA	498
BENIN	196	FALKLAND ISLANDS (ISLAS MALVINAS)	507
BHUTAN	205	FIJI	510
BOLIVIA	211	GABON	519
BOSNIA AND HERZEGOVINA	222	GAMBIA, THE	527
BOTSWANA	234	GEORGIA	535
BRAZIL	241	GHANA	544
BRITISH VIRGIN ISLANDS	254	GRENADA	557
BURKINA FASO	257	GUATEMALA	562
BURMA	267	GUINEA	573
BURUNDI	278	GUINEA-BISSAU	580
CABO VERDE	286	GUYANA	587
CAMBODIA	293	HAITI	596
CAMEROON	305	HONDURAS	607
CENTRAL AFRICAN REPUBLIC	317	INDIA	617
CHAD	328	INDONESIA	631
CHILE	337	IRAQ	641
CHRISTMAS ISLAND	347	JAMAICA	652
COCOS (KEELING) ISLANDS	351	JORDAN	661
COLOMBIA	355	KAZAKHSTAN	670
		KENYA	677

KIRIBATI	686	SAINT HELENA, ASCENSIÓN, AND TRISTÁN DA CUNHA	994
KOSOVO	692	SAINT LUCIA	997
KYRGYZ REPUBLIC	701	SAINT VINCENT AND THE GRENADINES	1004
LEBANON	710	SAMOA	1010
LESOTHO	720	SÃO TOMÉ AND PRÍNCIPE	1017
LIBERIA	728	SENEGAL	1022
MADAGASCAR	737	SERBIA	1031
MALAWI	747	SIERRA LEONE	1041
MALDIVES	757	SOLOMON ISLANDS	1049
MALI	763	SOMALIA	1056
MAURITANIA	775	SOUTH AFRICA	1065
MAURITIUS	789	SOUTH SUDAN	1074
MOLDOVA	797	SRI LANKA	1084
MONGOLIA	808	SURINAME	1091
MONTENEGRO	816	TANZANIA	1099
MONTSERRAT	824	THAILAND	1109
MOROCCO	827	TIMOR-LESTE	1120
MOZAMBIQUE	835	TOGO	1128
NAMIBIA	845	TOKELAU	1136
NEPAL	852	TONGA	1139
NICARAGUA	864	TUNISIA	1146
NIGER	873	TURKEY	1154
NIGERIA	884	TUVALU	1164
NIUE	894	UGANDA	1170
NORFOLK ISLAND	897	UKRAINE	1181
NORTH MACEDONIA	901	UZBEKISTAN	1189
OMAN	910	VANUATU	1200
PAKISTAN	916	WALLIS AND FUTUNA	1207
PANAMA	930	WEST BANK AND THE GAZA STRIP	1210
PAPUA NEW GUINEA	940	WESTERN SAHARA	1218
PARAGUAY	948	YEMEN	1223
PERU	959	ZAMBIA	1231
PHILIPPINES	971	ZIMBABWE	1241
RWANDA	985		



© Dr. David Parker
Diamond mine, Sierra Leone, 2017.

Purpose of this Report

The U.S. Department of Labor has prepared this 18th annual report on the 2018 *Findings on the Worst Forms of Child Labor* in accordance with the Trade and Development Act of 2000 (TDA). (1) The TDA set forth the requirement that a country implement its commitments to eliminate the worst forms of child labor for the President of the United States to consider designating the country a beneficiary developing country under the Generalized System of Preferences (GSP) program. (2; 3) The TDA also mandated that the President submit to the United States Congress the Secretary of Labor’s findings with respect to each “beneficiary country’s implementation of its international commitments to eliminate the worst forms of child labor.” (1) The Department’s Bureau of International Labor Affairs (ILAB) carries out this responsibility on behalf of the Secretary.

Research Focus

Country Coverage

This report covers 119 independent countries and 15 non-independent countries and territories designated as GSP beneficiaries. This includes former GSP recipients who have negotiated free-trade agreements with the United States. (4) Because the population of children is extremely small (fewer than 50) or non-existent in the British Indian Ocean Territory, Heard Island and McDonald Islands, and the Pitcairn Islands, the report does not contain a discussion of these three non-independent countries and territories. This 2018 report presents information on child labor and the worst forms of child labor and efforts to eliminate this exploitation in the remaining 119 countries and 12 non-independent countries and territories. The use of “countries” in this report includes territories, and because the report focuses on government efforts, non-independent countries and territories are classified by their associated regions.

Population Covered

In undertaking research on the “worst forms of child labor,” ILAB relied on the TDA definition of a child, which is the same definition contained in ILO Convention No. 182 on the Worst Forms of Child Labor (ILO C. 182). The TDA and ILO C. 182 define “child” as a person under age 18.

Reporting Period

The reporting period for this year’s report is January 2018 through December 2018. In certain cases, significant events or government efforts that occurred in early 2019 were included, as appropriate.

Type of Work

This report focuses on child labor and the worst forms of child labor. Definitions related to these types of work are guided by ILO C. 138 on Minimum Age and ILO C. 182 on the Worst Forms of Child Labor. Child labor includes work below the minimum age as established in national legislation (excluding permissible light work), the worst forms of child labor, and hazardous unpaid household services. The definition of the “worst forms of child labor” is found in the TDA and is the same as that included in ILO C. 182. It includes (a) all forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, or 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 performances; (c) the use, procuring, or offering of a child for illicit activities, in particular for the production and trafficking of drugs; and (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. (1) Similar to ILO C. 182, the TDA states that the work described in subparagraph (d) should be “determined by the laws, regulations, or competent authority of the country involved.”



Salario mensual: G. 2.155.045.-
Salario por día Trabajador a Jornal:
G. 82.065.-

FÁBRICAS Y C...

Salario mensual
Salario por día

FÁBRICA M...

Salario mensual
Salario por día

GRÁFICOS :

Salario mensual: G. 2.112.562.-
Salario por día Trabajador a Jornal:
G. 81.252.-

FÁBRICACIÓN DE SOMBROS DE CARANDA Y

Salario mensual: G. 2.112.562.-
Salario por día Trabajadora a Jornal:
G. 81.252.-

ACTIVIDADES DIVERSAS NO ESPECIFICADAS:

Salario mensual: G. 2.112.562.-
Salario por día Trabajador a Jornal:
G. 81.252.-

Partners of the Americas/U.S. Department of Labor
Erundina Machune at the regional office of the Ministry of Labor in
the Chaco region of Paraguay, 2019.



Strong Enforcement

*A Critical Tool for
Combating Child Labor*

"I want to help my people."

—Erundina Machune, Regional Director, Paraguayan Labor Inspectorate

When Erundina Machune arrived for her first day at the brand new regional office of the labor ministry in the remote Chaco region of Paraguay, she had no idea what she was in for. “I was scared,” she said. She had just been named the new regional director—in fact, the first regional director—overseeing labor law compliance in a vast region covering more than 60 percent of Paraguay’s territory. In the Chaco, forced labor was a well-known problem, particularly in the export-intensive cattle industry, but with only a 1-week training to get her up to speed and few resources at her disposal, she faced a daunting challenge.

Erundina knew about the forced labor situation all too well. She was indigenous to the Chaco region and had worked since age 4 helping her father, mother, brothers, and sisters tend cattle on a ranch. For all of their work, they received a single, meager salary for the entire family, and after deductions for things like food and shelter, it was not much. Erundina knew that she wanted more from her life than milking cows for next to nothing. So, at age 16, she went back to school. This led her down a new path that eventually landed her this opportunity as regional director. But what to do with it? How could she educate her people and help them assert their rights? She barely had a budget and did not even have a vehicle.

Then one day, an expert on forced labor from the U.S. Department of Labor-funded project, *Paraguay Okakuaa*, arrived. She accompanied Erundina as they conducted outreach in the widely dispersed communities throughout the region. The project also set up a radio-based communications campaign that was broadcast in nine languages to get the word out about labor rights and where workers could go to file complaints.

“From that point on, everything changed,” Erundina said. She went from running an office with no visitors to one that fielded dozens of complaints about issues such as unpaid wages—and received more than 100 workers who visited to lodge a complaint or learn about their labor rights in the space of a year. Of the 65 cases of labor rights violations reported, 2 have gone to court, and Erundina has worked with employers and workers to resolve all of the other ones. Support for the office has grown, with the local government even chipping in to provide her with a vehicle for her work.

Although the *Okakuaa* project is ending soon, Erundina remains determined.

“I am motivated,” she said. “I want to help my people.”

Erundina’s story typifies the kind of transformation that needs to occur in so many pockets of the world to end abusive labor practices, including child labor and forced labor. Without the capacity for strong labor law enforcement, these abhorrent practices will continue to flourish in communities the world over. Moreover, these labor abuses have a ripple effect, contributing to an unfair playing field for workers in the United States and around the world whose employers play by the rules.

Once again, this year, the majority (60 percent) of the more-than-1,900 country-specific recommendations in the Department’s 2018 *Findings on the Worst Forms of Child Labor* focus on the need to strengthen and improve enforcement of labor laws. Here is a look at why these issues are so important—and what governments and other stakeholders can do to move forward in this critical area.

Good Laws: A Necessary Precondition

For enforcement to be adequate, a country first needs laws on the books that align with international standards. A solid legal framework demonstrates a government’s commitment to protecting its citizens, lays out the rights and the respective responsibilities of the different actors, prescribes punishments for violators, and provides legal redress for victims. To sum up, good laws provide specific, much-needed protections and lay the groundwork for redress and accountability.

While most countries have ratified the relevant international conventions—including ILO C. 182,

prohibiting child labor in its worst forms—much work needs to be done before we can feel confident that children in every country enjoy full labor protections under the law.

An encouraging sign has been the continued momentum of more countries developing or expanding hazardous work prohibitions in line with international standards (see Figure 1). Over the past 2 years, for example, 19 countries evaluated in ILAB’s reporting developed or expanded their hazardous work lists. At the end of 2018, more than 75 percent of the countries assessed had hazardous work lists that included the sectors of work in which there is evidence of child labor under dangerous and unhealthy conditions.

Figure 1

What is Hazardous Child Labor?

ILO Recommendation 190¹ calls on governments to consider the following when determining work that is prohibited for children.



Work which exposes children to physical, psychological, or sexual abuse



Work underground, under water, at dangerous heights, or in confined spaces



Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads



Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health



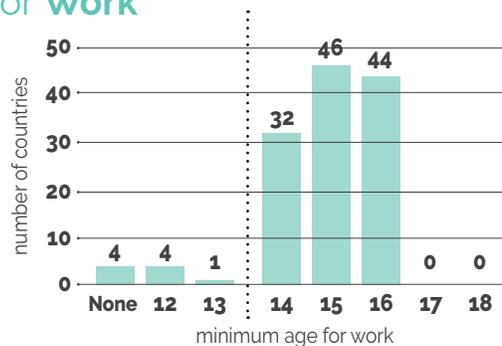
Work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer

¹ International Labor Organization. Recommendation 190. Geneva: June 1999. <https://www.ilo.org/public/english/standards/relm/ilc/ilc87/com-chir.htm>.

Less encouraging is the fact that more than one-third of these countries still have not established a minimum age for work in line with international standards (see

Figure 2). Almost the same percentage do not adequately prohibit the use of children for illicit activities, including the production and trafficking of drugs.

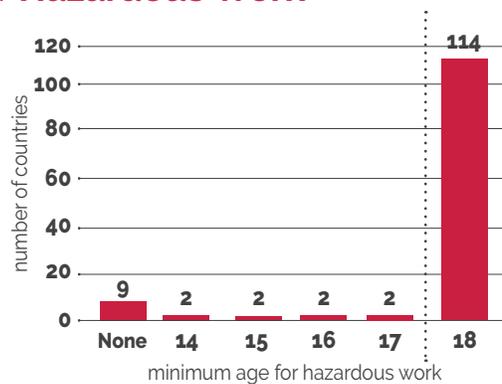
Figure 2



Countries that do not have a minimum age for work that meets international standards

- Anguilla
- Belize
- Bhutan
- Nigeria
- Niue
- Norfolk Island
- Solomon Islands
- Tokelau
- Tonga

* Countries whose economy and educational facilities are insufficiently developed may initially specify a minimum legal working age of 14 when ratifying the convention.



Countries that do not have a minimum age for hazardous work that meets international standards

- Anguilla
- Belize
- Burma
- Dominica
- Eritrea
- Falkland Islands (Islas Malvinas)
- Grenada
- Nepal
- Niue
- Norfolk Island
- Pakistan
- Saint Vincent and the Grenadines
- Solomon Islands
- Timor-Leste
- Tokelau
- Tonga
- Vanuatu

In 2018: Countries that Increased the Minimum Age for Work to Meet International Standards

- Mauritania
- Suriname
- Tuvalu



That is why ILAB's latest reporting includes more than 470 country-specific suggested actions that governments can take to address gaps in their existing legal framework (see Figure 3). It also is why ILAB has devoted resources in its programming to helping countries strengthen their legal protections. The ILAB-funded *CLEAR* projects, for example, have worked in 18 countries to increase the capacity of governments to reduce child labor, including by strengthening legal frameworks. For example, in Liberia, a hazardous work list and light work list were recently validated in accordance with international labor standards. In Suriname, *CLEAR* led work on revising the National Action Plan on Child Labor that was announced by the Minister of Labor as one of the main guiding documents that will help support the prevention and elimination of child labor in that country.

Additional work is also needed to improve laws and policies related to workplace inspections. While some steps are incremental, continued progress in this area will rely on individual country governments stepping up and enacting legislation that closes the gap between the international standards they have committed to

upholding and their national laws designed to protect children from labor exploitation.

Capacity-Building: Fuel For On-The-Ground Change

While improved legislation is important, laws mean little if not enforced. For countries that have solid laws on the books, adequate monitoring and enforcement of these laws is the next hurdle. Labor inspectorates and criminal law enforcement agencies need the resources, capacity, and authority to do their jobs. Moreover, additional progress is needed to ensure that governments hold those who perpetrate child labor abuses accountable.

ILAB's research reveals that workplace inspection systems remain generally weak around the world because of capacity and resource constraints, such as inadequate budgets, shortages in personnel, lack of vehicles and fuel, and insufficient training.

For example, an astounding 72 percent of countries assessed in the Department's 2018 *Findings* do not have adequately staffed labor inspectorates in accordance with ILO technical advice. Law

Figure 3

Global Gaps in Laws and Regulations



15

Countries' prohibitions of forced labor do not meet international standards

33

Countries' prohibitions of commercial sexual exploitation of children do not meet international standards

25

Countries' prohibitions of child trafficking do not meet international standards

43

Countries' prohibitions of the use of children in illicit activities do not meet international standards

*Out of 131 countries

enforcement efforts also are hindered by corruption and inefficient legal mandates, data collection, and coordination (see Figure 4).

Only half of all labor inspectorates are authorized to assess penalties for violations. This means that most inspectorates are prevented from holding violators accountable. Even in countries in which workplace inspection systems are in place and are functioning well, such as Costa Rica, Panama, Paraguay, and Peru, inspections of workplaces in the informal economy, in which most child labor tends to be found, are rare.

In the absence of resources and recourse available to labor inspectors, the burden in these countries mainly falls on businesses to ensure that their supply chains are clean.

Unscrupulous employers who exploit workers, or governments that fail to act to end abusive labor practices, unfairly undermine the competitiveness of law-abiding businesses and the goods and services they produce for global markets.

That is why ILAB is using nearly 1,200 suggested actions regarding laws and enforcement as a basis to

work with foreign governments and their partners to strengthen labor law enforcement and accelerate efforts to end child labor and human trafficking.

In Colombia, for example, the Department has been engaging with the government on labor law enforcement for several years, including by installing a labor attaché at the U.S. Embassy in Bogotá. In 2018, the Ministry of Labor significantly increased its resources dedicated to labor law enforcement, specifically to generate strategies to improve its labor inspectorate and create an electronic case management system. The Ministry of Foreign Affairs also coordinated numerous multilateral efforts for cooperation and technical assistance with other countries to share best practices in the areas of prevention, investigation, and assistance to victims of trafficking.

In Ghana, an ILAB-funded project to combat the trafficking of children by fishermen has had a profound and lasting impact in one community along Lake Volta. Through awareness raising and social mobilization efforts early on in the project, which closed 10 years ago, the community took ownership of making their village a child labor-free zone, which it continues to

Figure 4

Global Enforcement Efforts

37

Have an adequate number of labor inspectors



94

Conducted routine labor inspections



90

Conducted unannounced inspections



68

Authorize their labor inspectorates to assess penalties



110

Have a complaint mechanism for labor violations



*Out of 131 countries

be to this day. The village's child protection committee monitors activities on the lake through a surveillance system of security cameras along the village's coastline. For repeat offender and urgent cases, the Ghanaian Navy steps in to rescue the trafficked children and arrest the slave master. In addition, the Navy routinely conducts inspections of boats and canoes on the lake to ensure the enforcement of Ghana's child labor and human trafficking laws.

In the cotton industry, for several years, an ILAB-funded project in Uzbekistan has been building the capacity of the labor inspectorate to enforce labor laws regarding forced and child labor. The project provided training in national child labor monitoring; conducted roundtables and training workshops with labor inspectors to improve forced labor identification and reporting; and trained government agencies, social partners, and civil society organizations on the need to combat forced labor. All of this work contributed to a breakthrough in 2018. The Government of Uzbekistan prosecuted and sanctioned more officials in 2018 for facilitating forced labor than ever before. Evidence suggests that child labor in the cotton harvest was nearly non-existent, and there were no reported cases of forced child labor (although forced labor of adults continues to be a concern).

In Burma, an ILAB-funded project implemented by the ILO has been developing the first generation of experts on child labor, both in the government and in civil society. With project support, the newly established Myanmar National Committee on Child Labor Eradication, chaired by the Vice President, approved the country's first national plan of action to eliminate child labor and approved a draft hazardous work list. The project has supported training on child labor fundamentals to more than 220 local government officials in every state and region in the country as well as the training of nearly 40 percent of the inspectorate on child labor concepts.

Such progress on enforcement is essential—and efforts must be accelerated across the globe—if we are to see sustainable reductions in the number of child laborers worldwide.

The Importance of Partnerships

It is crucial for all parties—governments, private sector, and civil society—to come to the table to openly discuss past and planned efforts, challenges, and successes, and to find better ways to collaborate and increase their impact. That is why, in addition to governments, ILAB continues to partner with businesses and civil society organizations in efforts to combat child labor.

In Turkey, for example, ILAB recently completed a project, implemented by the Fair Labor Association (FLA) in partnership with Nestlé and two of its Tier 1 suppliers, which established and piloted a sustainable program to prevent child labor and forced labor in the hazelnut supply chain. The pilot program utilized the U.S. Department of Agriculture (USDA) Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains, which provide a systematic approach to identifying, addressing, and preventing child labor and forced labor in the production, processing, and distribution of agricultural commodities.

One important accomplishment was the project's work to assist Nestlé in mapping their hazelnut supply chain. Today, Nestlé has 100 percent traceability over their hazelnut supply chain in Turkey, meaning that it knows exactly where every nut it buys from its Tier 1 suppliers comes from. As part of this project, the FLA produced a valuable report on lessons learned that can help other companies adopt the best practices identified through the pilot project, serving as an example for companies working in many other sectors around the world.

ILAB also has developed a smartphone app, Comply Chain, to assist businesses around the world in identifying risks and remediating abuses in their



© REUTERS/Soe Zeya Tun
One in five children in Myanmar aged 10-17 go to work instead of school. Hlaingthaya Industrial Zone, Yangon, Myanmar. April 19, 2016.

supply chains. This app was developed to provide businesses with information about child labor, forced labor, and systems that can be put in place to combat these problems. Numerous private sector stakeholders have indicated how helpful this app has been to them and they suggested the creation of foreign language editions to support their efforts to work with their suppliers around the world. In 2018, ILAB released the app in French and Spanish, and in 2019, ILAB introduced a redesign and enhancements to the app to make it more user-friendly.

Moving the Ball Forward on Enforcement

There is broad international agreement that trade between nations should be fair, and profits should not come off the backs of children or slaves. The onus is now on the global community to respond by increasing our commitment to and focus on combating child labor as an urgent priority.

Governments must enact stronger legislation and strengthen enforcement—in addition to improving coordination, implementing better policies, broadening social protections for children and families, and providing thorough oversight to ensure the integrity of private sector partners and other contracted entities. Companies should develop robust social compliance systems to ensure that their supply chain is free of child labor. Ordinary citizens can empower themselves with knowledge about this problem—including by downloading the Department’s Sweat & Toil app that puts more than 1,000 pages of research in their hands—and spread the word among friends and family as well as tell the companies from which they buy, and in which they invest, that this is an issue about which they care.

ILAB continues to do its part by engaging with willing partners to strengthen legal frameworks and improve labor law enforcement efforts.

In 2018, the Department announced more than \$50 million in grants to strengthen labor law enforcement and combat child labor and modern slavery among trade partners.

For example, in December, the Department awarded \$7.5 million to Winrock International to help governments strengthen their laws, improve law enforcement, and increase coordination among law enforcement and social protection organizations to address child labor, forced labor, and human trafficking. The project will initially work in Thailand and Paraguay, with at least two other countries to be added later.

The Department also awarded \$6 million to Partners of the Americas to improve conditions of work and to reduce child labor and forced labor in palm oil supply chains. This project will help strengthen the capacity of businesses in the Colombian and Ecuadorian palm oil sectors to implement robust social compliance systems. It also will support an increased understanding across the global palm oil industry of effective practices to reduce labor abuses.

Good laws and strong enforcement may not be the only elements needed to address child labor and forced labor globally; however, they are essential to doing so. By focusing on the adoption of strong legislative frameworks and better enforcement of national laws, governments can form a strong foundation of protections that vulnerable children and families need, at a minimum, to escape child labor or forced labor. Governments, companies, and even individuals like Erundina Machune can all be part of the solution. The world owes it to the 152 million children still engaged in child labor and the 25 million people still trapped in forced labor to redouble efforts in these areas – in every corner of the globe (see Figure 5).

Figure 5

Children, 5-17 years old

million working children

Working Children

Child Labor

Hazardous Child Labor

73 million* children engaged in hazardous child labor

million children in child labor

*Global estimates on the number of children engaged in categorical worst forms of child labor do not exist. See the International Labor Organization. *Global Estimates of Child Labour: Results and Trends 2012-2016*. Geneva. 2017.



© Noorullah Shirzada/AFP/Getty Images
Afghan children work at a coal yard on the outskirts of
Jalalabad, Afghanistan. April 30, 2018.

Espacios para Crecer:

Education to End Child Labor

*How ILAB made an award-winning,
world-class education model possible*



Partners of the Americas/U.S. Department of Labor
A facilitator leads a group of children at an *Espacios*
center in Paraguay, 2018.

“I would like to be a great professor. I would like to go back to school.”

— Luis, *Espacios para Crecer* Participant

Children excitedly shared their dreams for the future during a lively discussion in Daniel Mueses’ afterschool *Espacios para Crecer*, or “Spaces to Grow,” group in Cotama, Ecuador. Cotama is an indigenous community in the Andes with high levels of poverty and child labor. A young boy named Luis, who has autism and had dropped out of school in the fourth grade, stood up and said, “I would like to be a great professor. I would like to go back to school.”

Luis is one of the many vulnerable children whose lives have been changed by the internationally recognized program *Espacios para Crecer* developed and implemented by ILAB projects across Latin America.

The program has reached children working in garbage dumps in the Dominican Republic, those displaced by violence in Colombia, and indigenous children in Ecuador, Panama, and Paraguay. Its materials are available in multiple indigenous languages. UNESCO and the Inter-American Development Bank have recognized the *Espacios para Crecer* model as a Best Practice for Youth in Latin America for its impact, efficiency, and relevance.

The *Espacios* program hinges on the idea that getting children interested in learning and developing their self-confidence keeps them in school. This is particularly important because school absenteeism is often associated with a high risk of child labor.

According to *Entrena*, the organization that developed the *Espacios* methodology and curriculum, 95 percent of *Espacios* participants remain in school the next school year following completion of the program.

The success of the *Espacios* model has been due, in no small part, to ILAB’s support. Saschia Seibel, project director at *Entrena*, said that ILAB’s ability to recognize best practices and encourage information sharing among its grantees has allowed them to spread.

“Without ILAB, *Espacios* never would have happened,” said Seibel, who was *Entrena*’s education specialist when the *Espacios* were first developed. Seibel recalled how ILAB has encouraged her over the years to share the model with other grantees at conferences and in informal telephone conversations. “When you have a donor that truly believes in you, it makes so many things possible.”

Promising Beginnings

In 2004, the first *Espacios para Crecer* groups were launched as summer pilots in 44 communities across the Dominican Republic. Designed for children ages 6 to 13 who had dropped out of school or were struggling to stay in school, the groups were an opportunity to catch up on school in a positive and fun environment. Group facilitators began delivering engaging lessons that stressed the immediate, practical application of academic concepts.

“Without ILAB, *Espacios* never would have happened. When you have a donor that truly believes in you, it makes so many things possible.”

— Saschia Seibel, Project Director at *Entrena*

The program was found to have been a resounding success. More than 5,000 children had been withdrawn or prevented from child labor (specifically informal urban work, commercial sexual exploitation, and hazardous commercial agriculture) and enrolled in some form of schooling. Teachers reported that reading and writing among students had improved greatly and that they were now passing their classes and completing grades.

After showing such promise in the Dominican Republic, the *Espacios* groups took on a central role in an ILAB project in Colombia, where more than 10,000 children and youth were withdrawn from exploitative child labor. Both a final evaluation and an impact evaluation of the project found improved school enrollment and academic performance due to the *Espacios* model.

“The teachers at the schools would see the changes in the children who had been participating and they would say, ‘What have you done to these children? They are participating and asking questions now,’” said Piedad Rivero Cruz, who was Partners of the Americas’ education specialist for the project.

Adults also became more aware of the importance of education and more connected to the problems children faced. Project surveys found that 75 percent

of parents’ attitudes toward child labor changed as a result of the project.

Keys to Success

Part of the key to *Espacios*’ success has been that curriculum developers and project implementers have emphasized the involvement of the communities as a whole. Group facilitators are community volunteers who receive training and support from project staff. There are repeated engagements with parents and community leaders. In many cases, teachers coordinate with facilitators in following up on children’s academic progress. Such shared responsibilities are a big part of the *Espacios*’ success and have become a central tenet of the program.

Another key to the groups’ success is their minimal overhead—they need only an enthusiastic facilitator and a place for children to gather.

Moreover, the changes made to the *Espacios* as they moved from country to country are a loud testament to the program’s greatest strength—its adaptability. Even the very first groups in the Dominican Republic adapted the content for variations in different regions, such as including different cultural traditions. In Colombia, many of the groups had to adjust the academic content to fit varying educational levels. Partners again adjusted it for beneficiaries in Ecuador,

Panama, and Paraguay by using translated materials with updated cultural references.

A Bright Future

The spread of the *Espacios* model shows no sign of slowing. All told, more than 1,000 *Espacios* have cropped up, serving more than 37,000 children in six countries throughout the region. The Dominican government has recently scaled up the concept of keeping children in a safe, educational environment for a full day as opposed to a half day. As of December 2018, the program covered roughly two-thirds of the nation's schoolchildren and was aiming to provide coverage nationwide by the end of 2020.

Meanwhile, ILAB is currently funding a project in Paraguay to support and strengthen systems for combating child labor. The educational initiative has already reached 1,022 children. An independent evaluation showed that parents and teachers felt that participating in the *Espacios* “motivates children to learn more and that their performance in formal schooling tends to improve.” More than that, the children have fun—valuing the opportunity to play, paint, sing, and receive additional support to strengthen their formal education. And the national government has signed an agreement to adapt the curriculum to an existing afterschool program so that the good work being done will continue beyond the life of the project.

As the *Espacios* groups spring up in more locations throughout Latin America, they do so with the wisdom gained from 15 years of experience. It is only a matter of time before another vulnerable child announces to her community that she, too, sees a bright future for herself in continuing her education.





Kathryn Chinnock/U.S. Department of Labor (Paraguay Okakuaa)
Students are encouraged to express themselves creatively, as at
this *Espacios* center in Guairá, Paraguay, 2018.

ILAB's Projects

Strengthening Labor Enforcement



PROTECTE, Tunisia - Trained labor inspectors, raised awareness of child labor laws, and established a specialized unit to address child labor at the Ministry of Social Affairs.

Paraguay Okakuaa, Paraguay - Trained labor inspectors in agricultural fields with support from an Enforcement Coordinator from USDOL's Wage and Hour Division.

CLEAR, *Serbia - Provided labor inspectors, social workers, and police officers with training on child labor identification and prevention.

ENHANCE, Vietnam - Built the capacity of key enforcement actors, including labor inspectors, to identify and address child labor violations through targeted training workshops, as well as by ensuring that child labor is integrated into data collection systems.

SAVABE, Madagascar - Trained 37 labor and criminal law enforcement agents on national child labor laws, and helped to develop an action plan to reduce child labor in the informal economy.

51

ACTIVE PROJECTS FROM
JANUARY - DECEMBER 2018

47

COUNTRIES FUNDED BY
ILAB INITIATIVES

*DOL/ILAB-funded projects that are currently being conducted in multiple countries

Making an Impact



Providing education and vocational training opportunities to nearly 2 million children

Increasing the capacity of 85 countries to address child labor and forced labor



Improving the livelihoods for nearly 170,000 vulnerable families

Training more than 51,000 labor inspectors and law enforcement officials



Providing over 50,000 teachers with training to work with children affected by child labor

Supporting the collection of information on child labor and forced labor through over 300 surveys, including over 90 national child labor surveys



Visit www.dol.gov/EndChildLabor to learn more



© Franck Metois / Alamy Stock Photo
Girl working in a brickyard. Fianarantsoa, Madagascar. July 20, 2016.

The Year in Review

Striving to Match Reality to Aspirations

In 2019, Tonga began the process of ratifying ILO C. 182 on the Worst Forms of Child Labor, a measure that would bring the world to universal ratification of this important and fundamental labor standard. But this is far from the end goal. A total of 152 million children still toil in child labor, roughly half of them in hazardous conditions. The problem is not that society fails to value its children, but that there is a disconnect between the harsh reality of child labor and awareness of its impact on the lives of children; between recognition that this practice is wrong and action that effectively addresses it.

Beyond adopting standards and passing legislation, governments need to take meaningful action, including stronger enforcement, to effectively confront the problem of child labor worldwide. The Department's *Findings on the Worst Forms of Child Labor* is a tool to raise awareness about child labor and a roadmap to help countries take the necessary steps to confront the realities that contribute to the persistence of this global problem. The 2018 report offers more than 1,900 suggested actions that governments in 131 countries and territories can take to combat child labor. This year's report also highlights the meaningful efforts that many governments have made to prevent and eliminate the worst forms of child labor, including through enacting and enforcing laws, coordinating more effectively among stakeholders, establishing policy frameworks, promoting quality education for

children, and implementing social protection programs and poverty alleviation strategies that address the root causes of child labor.

Last year, ILAB instituted minimum requirements that countries must meet in order to receive ILAB's highest assessment of Significant Advancement. This year's report goes even further, adding three new criteria for assessing each country's efforts. Figure 6 outlines the 12 criteria being used in this year's report and highlights the three new criteria. Together, these 12 criteria serve as a baseline that countries must meet in order to receive ILAB's highest assessment level.

This year, 12 countries—Argentina, Colombia, Costa Rica, Côte d'Ivoire, Ecuador, El Salvador, Guatemala, India, Paraguay, Rwanda, Serbia, and Tunisia—received the highest assessment of Significant Advancement (see Figure 7 for a global breakdown of assessments for this year). These countries made meaningful efforts during the reporting period in *all relevant areas* covering laws and regulations, enforcement, coordination, policies, and social programs, which may have included taking suggested actions recommended in 2017. Furthermore, each of these countries met the baseline, outlined above, of laws and regulations, enforcement mechanisms, and programs to address and prevent the worst forms of child labor. In fact, 17 more countries and territories would have received an assessment of Significant Advancement had they met this baseline level of protections. These include Albania, Belize, Brazil, Chile, Honduras, Madagascar, Montenegro, Morocco, Niger, Nigeria, Pakistan, Panama, Philippines, Suriname, Thailand, Uzbekistan, and Western Sahara.

Despite these stricter criteria, it is worth noting that El Salvador achieved an assessment of Significant Advancement this year for the first time in the history of the report. The government extended its National Action Plan for the Protection of Children and Adolescents into 2019 and modified its process for

granting work permits to adolescents, both with the goal of aligning laws and policies with international standards and national legislation. El Salvador also published its Annual Household Survey with data on child labor, as well as a guide highlighting efforts to combat child labor in the sugarcane industry. In addition, the government launched the local government component of its Sustainable Families Strategy in 16 municipalities and implemented an inter-agency protocol to improve coordination of services for human trafficking victims.

This year, we also saw the achievement of another milestone by Côte d'Ivoire, as the country extended its term—to six in a row—at the level of Significant Advancement.

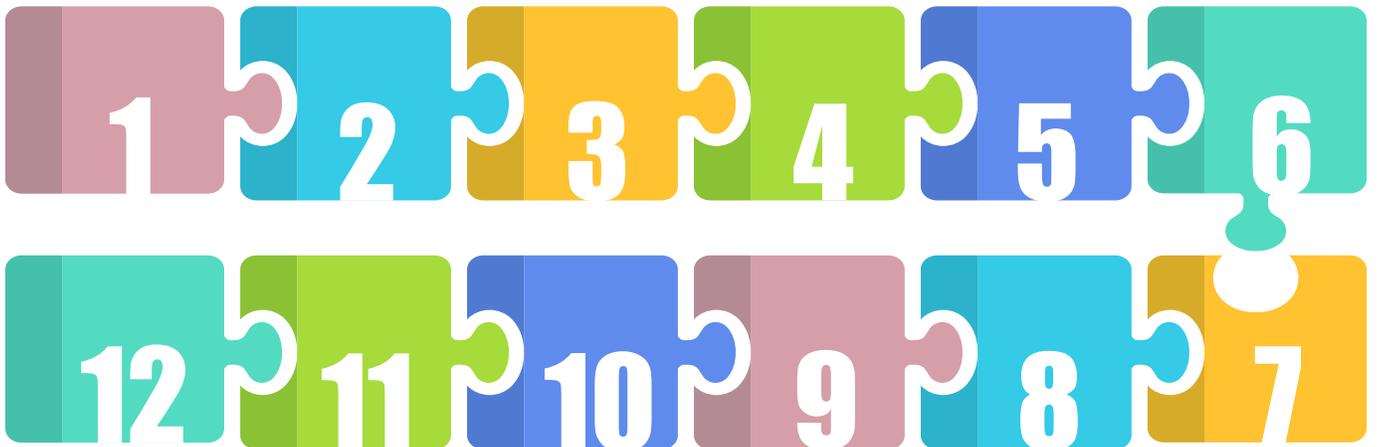
Sixty-seven countries received a Moderate Advancement assessment in 2018. A country is said to have moderately advanced efforts to eliminate the worst forms of child labor in 2018 if it made meaningful efforts during the reporting period in *some relevant areas* covering laws and regulations, enforcement, coordination, policies, and social programs. Meanwhile, 29 countries received an assessment of Minimal Advancement for making efforts in *only a few relevant areas*.

Other governments made positive efforts to address their country's child labor situation during the year but simultaneously continued or established a detrimental law, policy, or practice that delayed advancement in eliminating the worst forms of child labor. In those cases, the highest assessment level the countries could receive was a Minimal Advancement. Thirteen countries—Armenia, Azerbaijan, the Democratic Republic of the Congo, Gabon, Iraq, Mauritania, Moldova, Mongolia, Sierra Leone, Somalia, Tanzania, Tonga, and Yemen—implemented or maintained a law, policy, or practice related to education access, minimum age for work, labor inspection, or the

Figure 6

Baseline of Minimally Acceptable Protections

- 1. Established a minimum age for work that meets international standards
- 2. Established a minimum age for hazardous work that meets international standards
- 3. Established legal prohibitions against forced labor that meet international standards
- 4. Established legal prohibitions against child trafficking that meet international standards**
- 5. Established legal prohibitions against commercial sexual exploitation of children that meet international standards
- 6. Established legal prohibitions against the use of children for illicit activities that meet international standards



- 12. Directly funded a significant social program that includes the goal of eliminating child labor or addressing the root causes of the problem (e.g., lack of education opportunities, poverty, discrimination)
- 11. Made a good faith effort to collect and publish labor and criminal law enforcement data**
- 10. Took active measures to investigate, prosecute, convict, and sentence public officials who participate in or facilitate the worst forms of child labor**
- 9. Took active measures to ensure that children are not inappropriately incarcerated, penalized, or physically harmed solely for unlawful acts as a direct result of being a victim of the worst forms of child labor
- 8. Imposed penalties for violations related to the worst forms of child labor
- 7. Designated a competent authority or institutional mechanisms for the enforcement of laws and regulations on child labor

*Bolted text indicates new criteria.

Figure 7

Global Breakdown of Assessments

12 Significant Advancement

Argentina ■ Colombia ■ Costa Rica ■ Côte d'Ivoire ■ Ecuador ■ El Salvador ■ Guatemala ■ India ■ Paraguay ■ Rwanda ■ Serbia ■ Tunisia

67 Moderate Advancement

Albania ■ Algeria ■ Angola ■ Bangladesh ■ Belize ■ Benin ■ Bolivia ■ Bosnia and Herzegovina ■ Brazil ■ Burkina Faso ■ Cabo Verde ■ Cambodia ■ Cameroon ■ Central African Republic ■ Chad ■ Chile ■ Comoros ■ Cook Islands ■ Dominican Republic ■ Egypt ■ Eswatini ■ Ethiopia ■ Fiji ■ Gambia, The ■ Georgia ■ Ghana ■ Guinea-Bissau ■ Guyana ■ Honduras ■ Indonesia ■ Jamaica ■ Jordan ■ Kosovo ■ Lebanon ■ Lesotho ■ Madagascar ■ Malawi ■ Mali ■ Mauritius ■ Montenegro ■ Morocco ■ Mozambique ■ Namibia ■ Nepal ■ Niger ■ Nigeria ■ North Macedonia ■ Oman ■ Pakistan ■ Panama ■ Peru ■ Philippines ■ Saint Helena, Ascension, and Tristán da Cunha ■ Saint Lucia ■ Samoa ■ Senegal ■ Sri Lanka ■ Suriname ■ Thailand ■ Togo ■ Turkey ■ Uganda ■ Ukraine ■ Uzbekistan ■ Western Sahara ■ Zambia ■ Zimbabwe

42 Minimal Advancement

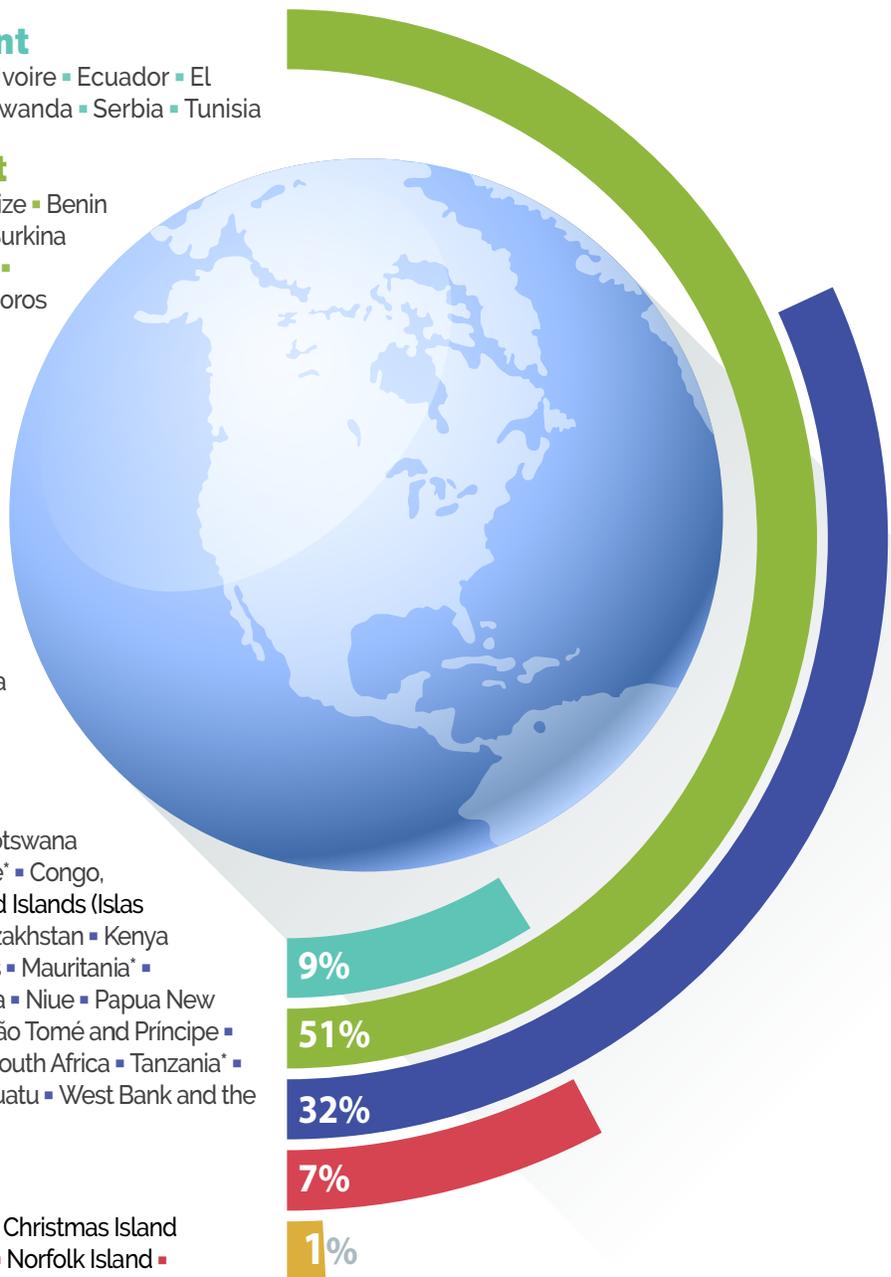
Anguilla ■ Armenia* ■ Azerbaijan* ■ Bhutan ■ Botswana ■ Burundi ■ Congo, Democratic Republic of the* ■ Congo, Republic of the ■ Djibouti ■ Dominica ■ Falkland Islands (Islas Malvinas) ■ Gabon* ■ Guinea ■ Haiti ■ Iraq* ■ Kazakhstan ■ Kenya ■ Kiribati ■ Kyrgyz Republic ■ Liberia ■ Maldives ■ Mauritania* ■ Moldova* ■ Mongolia* ■ Montserrat ■ Nicaragua ■ Niue ■ Papua New Guinea ■ Saint Vincent and the Grenadines ■ São Tomé and Príncipe ■ Sierra Leone* ■ Solomon Islands ■ Somalia* ■ South Africa ■ Tanzania* ■ Timor-Leste ■ Tokelau ■ Tonga* ■ Tuvalu ■ Vanuatu ■ West Bank and the Gaza Strip ■ Yemen†

9 No Advancement

Afghanistan‡ ■ British Virgin Islands ■ Burma‡ ■ Christmas Island ■ Cocos (Keeling) Islands ■ Eritrea‡ ■ Grenada ■ Norfolk Island ■ South Sudan‡

1 No Assessment

Wallis and Futuna



*Efforts made but regression or continued law, policy, or practice that delayed advancement

‡ Efforts made but complicit in forced child labor



© Dozier Marc/Hemis/Alamy Stock Photo

Boys engage in coprah work. Coprah is the dried meat or the kernel of the coconut. Tamunia Village, New Britain Island, Papua New Guinea. August 21, 2013.

recruitment and use of child soldiers that undermined other advancements made toward eliminating the worst forms of child labor.

In addition, countries could not receive an assessment level beyond No Advancement if they had a policy or demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents. Unfortunately, four countries—Afghanistan, Burma, Eritrea, and South Sudan—were found to be complicit in the use of forced child labor during the reporting period, whether it be for commercial sexual exploitation, public works projects, compulsory recruitment, or participation in armed conflict. Urgent action is needed to resolve these abhorrent situations that shatter the lives of affected children.

Altogether, 2018 saw the continuation or emergence of certain troubling trends regarding the labor exploitation of children. In Africa, children in some countries, including Mali and South Sudan, faced displacement due to conflicts, especially between sheep or cattle farmers and agriculturalists, which

increased their vulnerability to child labor. Cambodia has seen a rise in children exploited in conditions of begging in the tourist areas of that country. And, sadly, in South America, some countries have seen a rise in the use of social media platforms as tools to entrap children into commercial sexual exploitation, leading some countries to promulgate new laws to ensure that children are protected on the internet.

Meaningful Efforts

Numerous countries made meaningful efforts with respect to the legal framework. In Colombia, the government drafted two new bills. One bill sought to strengthen penalties in the Penal Code for crimes of commercial sexual exploitation. Responding to the rising use of social media platforms to entrap children, the second bill established more comprehensive public policies to protect children against cybercrimes involving commercial sexual exploitation. In Central America, Costa Rica amended its Criminal Code to align with international standards on trafficking in persons, nearby Suriname ratified ILO C. 138 on the



© Joerg Boethling / Alamy Stock Photo

A child transports harvested cotton with a donkey cart to their village, Bobo-Dioulasso, Hauts-Bassins, Burkina Faso, November 29, 2016.

Minimum Age, and the Cook Islands ratified ILO C. 182 helping drive the world towards universal ratification. Peru's Congress also enacted a law merging the regional labor inspectors and remaining Ministry of Labor inspectors with the Superintendency. This decision strengthened the impact of the labor inspectorate and increased interagency cooperation on child labor eradication efforts through the opening of two new inspection offices and the addition of \$14 million to the 2018 labor enforcement budget. In Bolivia, after declaring provisions in the 2014 Child and Adolescent Code unconstitutional in 2017, President Evo Morales signed legislation in December 2018 modifying Bolivian law to change the minimum age of legally permitted work from 10 to 14.

In the Near East, the Sultan of Oman promulgated a new Penal Code for the country that enhanced some penalties related to the commercial sexual exploitation of children. In the southern part of Africa, in Namibia, the government passed the Combating of Trafficking in Persons Act to prevent, suppress, and punish trafficking in persons, especially of women and children. And the King of Eswatini signed the Sexual Offenses and Domestic Violence Act, which provides new legal protections for child victims of commercial sexual exploitation.

Of course, it is not enough to simply have good laws; strong enforcement is also key. The Democratic Republic of the Congo is known as a pivotal link in the sourcing chain of a number of key mined minerals and ores that are critical to the operations of many companies. In 2018, in an effort to protect against risks in the sourcing chain, the government's Ministry of Mines launched a traceability and monitoring system for artisanal mines. Farther up the continent on the western coast, Senegal created a new police division with a focus on migrant smuggling and transnational crimes, taking proactive steps to put in place the enforcement structure to address child labor. Indonesia increased its labor inspectorate's

budget from \$2.1 million to \$10.2 million. Thailand hired an additional 394 labor law enforcement personnel, moving the country closer to a more robust enforcement environment.

Globally, some countries undertook efforts to enhance and improve the function of coordination mechanisms to address child labor. In Europe and Eurasia, North Macedonia's National Coordination Body for the Protection of Children from Abuse and Neglect was reconstituted. In nearby Serbia, the Council for Children's Rights published three draft documents on child protection, including a Strategy for the Prevention and Protection of Children Against Violence for the period of 2018 to 2020.

The year 2018 also saw the enactment and continuation of several national plans of action to protect children from child labor and trafficking. Ghana launched the National Plan of Action Phase II on the Elimination of the Worst Forms of Child Labor, along with a strategy to combat child labor in the fishing sector. Off the coast of West Africa, the island nation of Cabo Verde approved and published a National Action Plan to Combat Trafficking in Persons. Similarly, Mali finalized the National Action Plan to Combat Trafficking of Persons and allocated a budget of \$10 million over 5 years for its implementation. In Egypt, the government formally adopted the National Plan of Action Against the Worst Forms of Child Labor and Supporting Family, and the National Strategy on Childhood and Motherhood, which also has a section on child labor. Elsewhere in the world, this year also saw Kazakhstan formalize a new national action plan to counter trafficking in persons. Each of these plans helps provide a key tool to prevent and eliminate child labor.

There were numerous examples of countries adopting constructive programs designed to combat child labor. In the Caribbean, the Dominican Republic continued to fund and participate in multiple programs that include the goal of eliminating or preventing



© Srdjan Randjelovic/Shutterstock
A hungry, homeless beggar child on the street.
Novi Sad, Serbia. May 20, 2017.

child labor, including two new programs that will strengthen the capacity of the Ministry of Labor to enforce laws and regulations related to child and forced labor, particularly in the agricultural sector. In the Sahel region of West Africa, Burkina Faso worked in partnership with a local NGO to launch a campaign to remove vulnerable children from the streets of the capital, placing them in government-run shelters with a plan to provide vocational training and re-integration with families. During the course of the reporting period, the government also removed more than 2,000 children from artisanal mining sites and placed them in the care of social services. Guinea-Bissau implemented the Code of Conduct Against Sexual Exploitation in Tourism by conducting various awareness campaigns on the commercial sexual exploitation of children to hotel and night club owners throughout Bissau and the Bijagós archipelago.

Meanwhile, many countries are working diligently to expand the knowledge base on child labor, which is a vital first step in addressing it. Nepal launched the Nepal Labor Force Survey, which promises to provide valuable information on child labor, including the number of children engaged in hazardous work. In Argentina, the new Secretariat of Labor worked with Argentina's National Institute of Statistics and Census to publish the country's first national child labor survey, with representation from every region in the country. In Pakistan, four provincial governments began conducting child labor surveys that together will constitute a nationwide child labor survey.

As for social programming, Bangladesh launched the 3-year, Phase IV portion of its \$35 million government-funded project to eliminate hazardous child labor, seeking to identify 100,000 child laborers, integrate them into schools, and provide livelihood support

A Global Picture and Regional Analysis of Government Efforts and Challenges

REGION	EFFORTS	CHALLENGES
Asia & the Pacific	<ul style="list-style-type: none"> ■ Launched government coordination efforts to eliminate child labor in the fishing and textile sectors. ■ Strengthened laws prohibiting the worst forms of child labor. ■ Funded social programs that identified and withdrew children from hazardous labor. 	<ul style="list-style-type: none"> ■ Insufficient number of labor inspectors and resources to conduct inspections. ■ Lack of data on the enforcement of laws prohibiting the worst forms of child labor. ■ Persistent barriers to education, including lack of schools and prohibitive costs to attend school.
Europe & Eurasia	<ul style="list-style-type: none"> ■ Improved coordination mechanisms that protect children from abuse and exploitation. ■ Trained law enforcement personnel to combat child labor and child trafficking. ■ Established new action plans to protect orphans and ensure an education for children with disabilities. 	<ul style="list-style-type: none"> ■ Laws and practices that limit the ability to conduct unannounced labor inspections in all sectors where child labor exists. ■ Gaps in the labor laws that do not afford protections to children in informal employment. ■ Ethnic minorities and other disadvantaged children face barriers to access education.
Latin America & the Caribbean	<ul style="list-style-type: none"> ■ Conducted and published research revealing the prevalence and impact of child labor. ■ Ratified international conventions and aligned national laws with global standards to address child labor. ■ Expanded laws and national action plans to protect children from commercial sexual exploitation and human trafficking. 	<ul style="list-style-type: none"> ■ Hazardous work lists do not cover all areas of work in which there is evidence of hazardous child labor. ■ Lack of sufficient social programs to address child labor in the agricultural and mining sectors. ■ Lack of funding for the enforcement of child labor laws.
Middle East & North Africa	<ul style="list-style-type: none"> ■ Expanded new social programs to address child labor in domestic work. ■ Increased resources for schools and social programs to expand educational opportunities for vulnerable children. ■ Sponsored awareness raising campaigns to increase public knowledge of child labor. 	<ul style="list-style-type: none"> ■ Lack of efforts to collect and publish data on labor law enforcement. ■ Penalizing children for their involvement in the worst forms of child labor. ■ Low prosecution levels for incidences of commercial sexual exploitation of children and chattel slavery.
Sub-Saharan Africa	<ul style="list-style-type: none"> ■ Strengthened legislation related to children's rights, including protections for child victims of commercial sexual exploitation. ■ Established bilateral agreements to coordinate efforts addressing the cross-border movement of unaccompanied children. ■ Developed educational facilities and social programs to reach children living in areas prone to the worst forms of child labor. 	<ul style="list-style-type: none"> ■ Lack of authority for labor inspectorates to assess penalties. ■ Minimum age protections do not extend to children working in the informal sector. ■ Recruitment of underage children into national armies.

for their parents. In Turkey, the Integrated Model for the Elimination of the Worst Forms of Child Labor in Seasonal Agriculture in Hazelnut Harvesting was extended to 2020. The program has already prevented more than a thousand children from working in hazelnut harvesting, a leading industry in Turkey, which produces the largest quantity of hazelnuts in the world each year. Turkey signed a Joint Declaration on the Elimination of Child Labor, declaring 2018 “The Year of Elimination of Child Labor.”

Major Gaps

Despite these efforts, there are significant gaps in efforts to address and prevent the worst forms of child labor. Somalia, for example, continues to implement a practice that delayed advancement in eliminating the worst forms of child labor. The Somali National Army recruited and used children in armed conflict in violation of its national law during the reporting period. South Sudan, through its People’s Defense Force, recruited children, sometimes forcibly, to fight opposition groups. The use of children in armed conflict continues to afflict others across the continent—including the Democratic Republic of the Congo and Nigeria. The recruitment of children in armed conflict is not a problem unique to Sub-Saharan Africa. In Iraq, children who were forcibly recruited into ISIS were subject to detention and prosecution by Iraqi authorities without legal representation.

Mali, where a lack of trained staff, equipment, transportation, and funding hampered labor inspectors’ ability to conduct child labor inspections, underlines the resource constraints facing many countries that limit their ability to adequately enforce their laws. In the Americas, countries such as Costa Rica, Ecuador, Guatemala, Jamaica, and Peru all noted issues with insufficient resources for labor and criminal law enforcement related to the worst forms of child labor. In Eastern Europe, laws or practices limit unannounced inspections in Armenia and Moldova,

while in Georgia, the labor inspectorate is allowed to conduct unannounced inspections only in harmful, hazardous, and heavy industries, requiring a court order to inspect all other businesses in the country. More drastically, the Government of Azerbaijan extended a moratorium on all labor inspections through 2021, which will leave potential violations of child labor laws undetected in workplaces. In many countries, such as Afghanistan, Bangladesh, Bolivia, Chad, Ethiopia, Gabon, Madagascar, Mauritania, Sri Lanka, Tanzania, and Togo, among others, labor inspectorates are not even authorized to assess penalties.

Financial and resource limitations hindered government coordination efforts to address child labor. In a large number of Sub-Saharan African countries, such as Benin, Cameroon, Central African Republic, Côte d’Ivoire, the Republic of the Congo, Eritrea, Ghana, and Malawi, key coordinating committees did not meet or were otherwise unable to carry out their intended mandates, often due to issues of funding. Elsewhere, in Bosnia and Herzegovina, the Anti-Trafficking Task Force, responsible for coordinating child trafficking investigations across government agencies, lacked funding and coordination for a second consecutive year, resulting in a lack of participation of key stakeholders.

Globally, a number of countries do not have in place, or have not implemented, governmental policies that address the worst forms of child labor. Lack of funding and resources limited or delayed implementation of key child labor elimination and education policies in Angola and Papua New Guinea. Highlighting these challenges, the Government of Argentina adopted a new action plan—the Biennial National Plan against Human Trafficking and Exploitation and for Protection and Assistance of Victims—to fortify interagency cooperation around human trafficking, but did not allocate a special budget to ensure the policy’s

implementation. The governments of Burundi, Jamaica, and Malawi also failed to renew key policies addressing the worst forms of child labor that expired.

Despite enduring progress to address the social conditions that contribute to child labor, challenges continue. Many countries ranging from Guatemala to India to Lebanon lack programs that address all forms of exploitative labor in which children work. Some countries continue to place restrictions that delay advancement in eliminating the worst forms of child labor. In Sierra Leone, for example, girls face restrictions on attending school, with school administrators continuing to prohibit girls who were pregnant from attending regular public schools or taking secondary and postsecondary school entrance exams during the reporting period, making them more vulnerable to the worst forms of child labor. Similarly, the Mainland Tanzania government continues to support the routine expulsion of pregnant girls from school. The even more basic challenges of school fees, textbook and uniform costs, transportation, and infrastructure pose significant barriers to educational access in various countries, including Bangladesh, Belize, Gabon, Guatemala, Indonesia, South Africa, and Tunisia, among others.

Collectively, these examples paint a picture of a world in which child labor—although universally condemned in its worst forms—continues to persist in practice. Governments, as well as other stakeholders, have their work cut out for them in addressing this abusive form of labor.

As we celebrate the universal ratification of ILO C. 182 in the 100th year of the ILO (see Figure 8), it is important to remind ourselves about the persistent disconnect between society’s values and the reality of our world. As ILO’s Director General Guy Ryder stated this year in support of World Day Against Child Labor: “How we treat our children is a reflection

of our societies and values.” It is vital that we view these abuses as the human rights issues that they are, ensuring that we treat our children in a way that lives up to our ideals and shared commitments.

Figure 8

ILO Celebrates 100 Years



This year, the Department joins the ILO in celebrating its 100th anniversary. Since 1919, the ILO has helped protect the rights of working people and has played a leading role in the fight to eliminate child labor and forced labor and to end human trafficking. It also has provided technical assistance programs to numerous governments that have helped them improve their labor laws and strengthen enforcement.

With participation by both employers and workers, the ILO is the only international organization that includes the private sector in all facets of its operation. The ILO’s efforts to improve labor market policies, promote employment, and protect workers’ rights help level the playing field for both workers and employers. America’s trade agreements and preference programs require our trading partners to protect internationally recognized worker rights. ILO standards provide the legal framework that defines these rights that benefit workers here and abroad.

The U.S. Experience

“The United States remains steadfast in its commitment to eliminate the worst forms of child labor, and we are leading those efforts at home and abroad.”

— Acting Secretary of Labor Patrick Pizzella

Under the Trump Administration, ILAB has remained steadfast in its mission to eliminate the worst forms of child labor, forced labor, and human trafficking. In addition to previous initiatives, such as ratification of ILO C. 182 on the Worst Forms of Child Labor in 1999, new steps have been taken within the past year to ensure that illegal, dangerous, and damaging labor practices around the world are addressed.

In September 2018, for example, ILAB spearheaded the development of a strategy to eliminate child labor, forced labor, human trafficking, and modern slavery within the G20, which the United States signed with all of the G20 countries at the Leader’s Summit in Buenos Aires. (5) ILAB also allocated \$56.8 million in Fiscal Year (FY) 2018 technical assistance funds to help governments combat child labor and forced labor, particularly in high-risk sectors. (6) ILAB also released an updated version

of the Comply Chain app with Spanish and French translations, which allows more companies in the United States and abroad to access this information. These accomplishments demonstrate ILAB’s continual dedication to the prevention of child labor, forced labor, and human trafficking.

The Department’s domestic enforcement agencies have also continued to make important strides. The Wage and Hour Division (WHD) is responsible for implementing and enforcing regulations pertaining to the legal work age, permissible hours of work, earned wages, and hazardous occupations prohibited for minor employees. The Occupational Safety and Health Administration (OSHA) provides regulation and enforcement on safe work environments for all employees, regardless of age. The Office of Disability Employment Policy (ODEP) works to improve the transition outcomes of youth and young adults with disabilities toward successful employment and adulthood, and the Department’s YouthRules! initiative seeks to promote positive and safe work experiences for young workers. The Employment and Training Administration (ETA) offers programs and services to help youth enter the workforce in a way that allows them to be productive. In addition, the Bureau of Labor Statistics gathers statistics on a variety of subjects, including child labor.



U.S. Department of Labor / Shawn T. Moore
Apprentices working at Advanced Superabrasives Inc., a
U.S. manufacturer of Diamond and CBN Wheels in Mars
Hill, North Carolina, on August 21, 2018.

In recent years, these agencies have secured record levels of reclaimed wages for workers, promoted worker safety, and increased the efficiency of the Department's enforcement efforts.

The Federal Minimum Ages for Work

For more than 80 years, the Fair Labor Standards Act (FLSA) has established Federal regulations that apply to child workers in various occupations. Child labor provisions under the FLSA are designed to protect children's involvement in educational opportunities and prohibit children's employment in jobs that are detrimental to their health and safety. The FLSA includes restrictions on maximum working hours and types of permissible occupational fields for children under the age of 16.

The FLSA and its implementing regulations have established the following standards:

- A minimum age of 14 for most employment in non-hazardous, non-agricultural industries, and limits on the times of day, number of hours, and tasks that can be performed by 14- and 15-year-olds.

- A minimum age of 18 for employment in hazardous occupations as deemed by the Department's issuance of 17 non-agricultural Hazardous Occupation Orders.
- Exceptions for agricultural and non-agricultural employment. For example, the FLSA does not restrict the work that 16- and 17- year olds may perform in agricultural employment, and it permits youth under the age of 14 to work in non-hazardous agricultural employment outside school hours with parental approval.

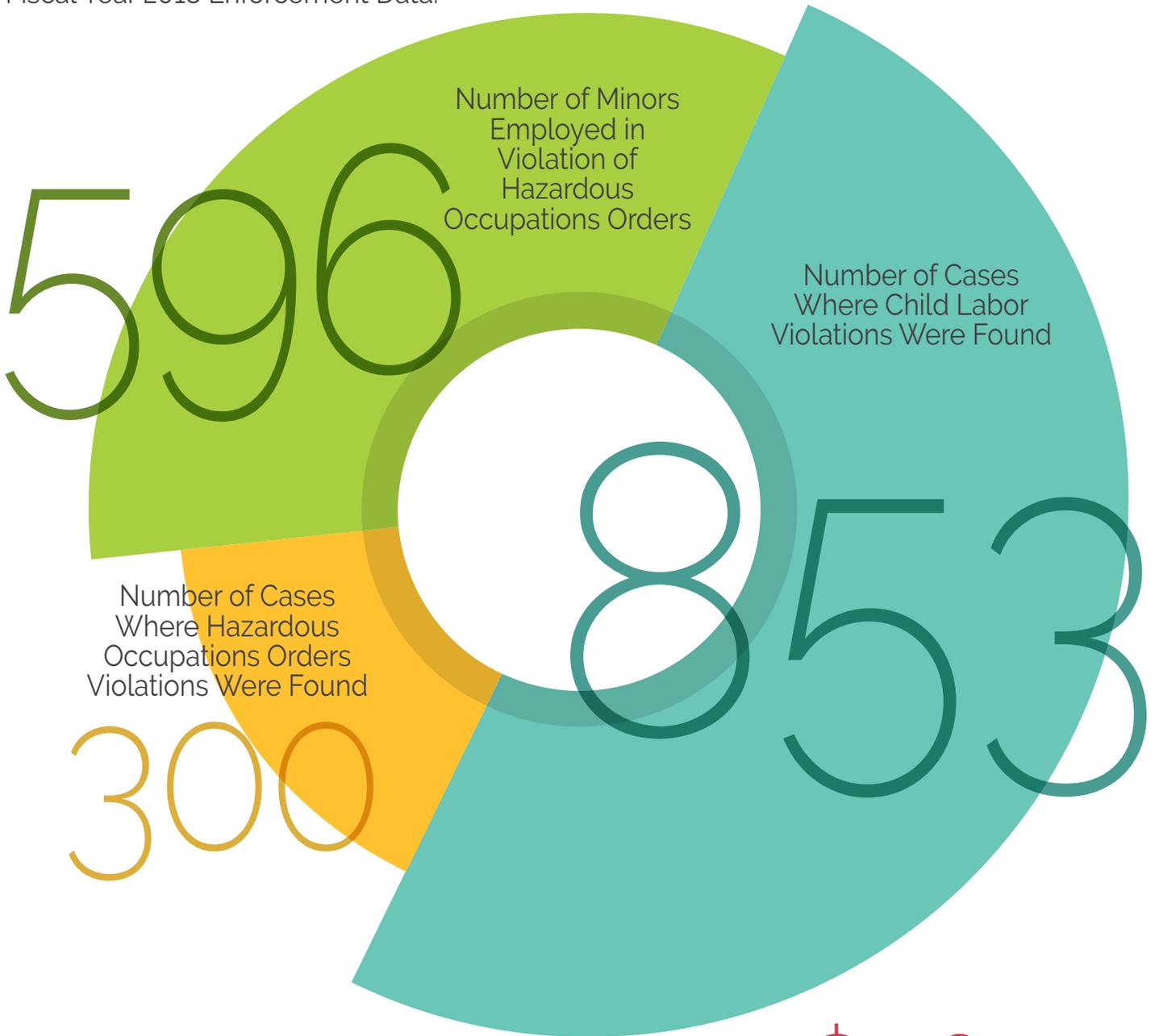
All states have child labor standards and mandatory school attendance laws. When state and Federal child labor standards are different, the rule that provides the most protection is the one that must be followed.

There were 2,237,000 youth ages 16 to 17 employed in the United States in 2017, and 1,838,000 employed in 2018. (6) Despite the restrictions and limitations placed on their work, in 2017, the most recent year for which data are available, there were 7 fatal occupational injuries among youth ages 16 to 17, and 15 fatal occupational injuries among youth below age 16 in the United States. (7)

Figure 9

Wage and Hour Division Rigorously Enforces the Fair Labor Standards Act, including Child Labor Laws

Fiscal Year 2018 Enforcement Data:



Total Penalties Imposed for Child Labor Violations: **\$2.69** million

More specific information about each of these cases can be found in the WHD's enforcement database at <https://enforcedata.dol.gov/homePage.php> and WHD's website at <http://www.dol.gov/whd/data/datatables.htm#panel1>.

Wage and Hour Division

WHD looks for employer compliance with the FLSA's child labor provisions in every investigation it conducts. In FY 2018, WHD concluded more than 850 investigations in which child labor violations were disclosed; 300 of these investigations found violations of the agency's Hazardous Occupations Orders. WHD found more than 2,000 young workers employed in violation of the FLSA's child labor requirements, with nearly 600 of them employed in violation of the Hazardous Occupations Orders (see Figure 9).

For example, following an investigation by WHD, Tuff Automation Inc. paid a civil money penalty of \$28,474 after a 17-year-old employee suffered an amputation of his right index finger while operating an unguarded band saw in Grand Rapids, Michigan. WHD investigators found that the company violated the child labor provisions of the FLSA by employing a worker under the age of 18 to operate prohibited hazardous equipment. (8) In another case, WHD found that eight retailers operating at The Mills at Jersey Gardens in Elizabeth, New Jersey, allowed underage employees to operate and unload potentially dangerous paper baling and cardboard compacting machines, in violation of the FLSA's child labor requirements. WHD assessed a total of \$40,667 in penalties to the retailers. (9)

"Employment standards for minors ensure that they gain a positive work experience that does not interfere with their education, health, and well-being. Child labor violations can be avoided when employers understand the rules."

—Wage and Hour Division District Director Kevin Hunt,
Salt Lake City, Utah

"The safety of young workers remains a priority for the Wage and Hour Division. Employers have a responsibility to fully understand and comply with the child labor provisions of the Fair Labor Standards Act to ensure minors work in a safe environment."

— Wage and Hour Division District Director Daniel White,
Jacksonville, Florida

Employment and Training Administration

ETA oversees a number of workforce development programs. These programs include the Registered Apprenticeship Program, YouthBuild, Job Corps, and Reentry Employment Opportunities. Consistent with Executive Order 13801, *Expanding Apprenticeships in America*, the Department is expanding apprenticeship opportunities and creating the Industry-Recognized Apprenticeship Program system, which will increase apprenticeship opportunities for all Americans, especially in sectors where apprenticeships have been underutilized. In addition, the Workforce Innovation and Opportunity Act provides funds to promote opportunities for youth. ETA's programs help youth who face barriers to employment, including out-of-school youth and those involved with the justice system, with work-readiness skills and opportunities to gain industry-recognized credentials. YouthBuild and Job Corps also help low-income, unemployed young Americans continue their education and gain the skills they need for employment.

About the Iqbal Masih Award



The United States Congress established the Iqbal Masih Award for the Elimination of Child Labor in 2008 to recognize exceptional efforts by an individual, company, organization, or national government to end the worst forms of child labor.

The award reflects the spirit of Iqbal Masih, a Pakistani child sold into bonded labor as a carpet weaver at age 4. He escaped his servitude at age 10 and became an outspoken advocate of children's rights, drawing international attention to his fight against child labor. Masih was killed in Pakistan at age 13 in 1995.

Further information about the Iqbal Masih Award and USDOL's efforts to combat child labor, is available on the USDOL website at www.dol.gov/ilab.

2018 Iqbal Masih Award Co-Recipient: Teresa Martínez Acosta



U.S. Department of State, U.S. Embassy Asunción

Ms. Teresa Martínez Acosta receiving the 2018 Iqbal Masih Award. Ms. Martínez was one of the co-recipients of the award. Paraguay. March 1, 2019.

In 2018, the U.S. Secretary of Labor selected two individuals to receive the Iqbal Masih award: Teresa Martínez Acosta of Paraguay and Stephanie Odegard of the United States.

Teresa Martínez Acosta has been a leader in Paraguay on child labor, forced labor, and human trafficking for the past 20 years. She served as the Lead Prosecutor for the Government of Paraguay's Specialized Anti-Trafficking in Persons Unit and played a critical role in strengthening the unit's efforts to combat forced labor and human trafficking. Her efforts as a prosecutor led to an increase in the number of human trafficking cases prosecuted in Paraguay, including cases involving children and indigenous populations.

Ms. Martínez led investigations and raids that freed hundreds of victims from exploitation, resulting in dozens of arrests and prosecutions. In one high-profile case in Paraguay's Chaco region, she led an investigation that rescued 35 indigenous victims, including children, and prosecuted 3 labor traffickers. She also set up an effective coordination mechanism with the Paraguayan Secretariat for Social Action that helped expedite the receipt of benefits for trafficking victims from various social protection programs.

Recently, the President of Paraguay appointed Ms. Martínez to serve as Minister of Childhood and Adolescence.

2018 Iqbal Masih Award Co-Recipient: Stephanie Odegard



U.S. Department of State, U.S. Embassy New Delhi
The U.S. Ambassador to India, Ambassador Kenneth J. Juster, with Ms. Odegard, the co-recipient of the 2018 Iqbal Masih Award. India. March 6, 2019.

Stephanie Odegard's work on the issue of child labor began when she started working with the Oriental Rug Importers Association. In 1987, she established the Stephanie Odegard Collection (Odegard Carpets) to help address the rampant use of child labor in carpet production occurring in South Asia. After realizing that rug companies profited by paying low wages, allowing the continuation of dangerous work conditions, and using bonded and child labor, she aimed to help tackle

the region's child labor problem by ensuring that her looms were child labor-free.

When Ms. Odegard learned about GoodWeave, an internationally recognized organization founded by Kailash Satyarthi, working to end child labor in the carpet industry's global supply chains, she left the Oriental Rug Importers Association to join forces with them. In doing so, she risked her own relationships within the carpet industry, since many carpet dealers shunned GoodWeave. Ultimately, Ms. Odegard succeeded in encouraging other companies to join the struggle to combat child and bonded labor. Serving for 13 years on GoodWeave's board, her efforts helped give the NGO access to carpet looms across South Asia, contributing to a nearly two-thirds reduction in child labor in the sector and the removal of almost 6,000 children from child labor.

Today, Odegard Carpets, made in Nepal, carry GoodWeave's label as a sign that no child, forced, or bonded labor was used in the manufacturing process. For every Odegard rug sold, a small percentage goes to GoodWeave, which has resulted in the generation of more than \$450,000 in contributions to help fund educational and prevention programs for nearly 26,000 children in Afghanistan, India, and Nepal.

In recognition of the outstanding impact that Ms. Martínez and Ms. Odegard have made on efforts to combat child labor, the U.S. Secretary of Labor selected them as co-recipients of this honor. They are the tenth recipients to receive this non-monetary award.

References

1. **Government of the United States of America.** Trade and Development Act of 2000, P.L. 106-200, H.R. 434 (106th). Enacted: November 3, 1999. <https://www.govtrack.us/congress/bills/106/hr434/text/eas>.
2. —. 19 U.S. Code § 2462 Designation of Beneficiary Developing Countries. Enacted: 1974. <https://www.law.cornell.edu/uscode/text/19/2462>.
3. —. Trade Act of 1974, P.L. 93-618. Enacted: January 3, 1975. <https://legcounsel.house.gov/Comps/93-618.pdf>.
4. **U.S. Department of Labor.** By the Sweat & Toil of Children Volume VI: An Economic Consideration of Child Labor. January 1, 2000. http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1147&context=key_workplace.
5. **G20.** Fostering Opportunities for an Inclusive, Fair and Sustainable Future of Work, Annex 2: G20 Strategy to eradicate child labour, forced labour, human trafficking and modern slavery in the world of work. September 7, 2018. <http://www.g20.utoronto.ca/2018/2018-09-07-employment.html#annex2>.
6. **U.S. Department of Labor's Bureau of International Labor Affairs.** Projects. Accessed August 5, 2018. <https://www.dol.gov/agencies/ilab/projects>.
7. **U.S. Department of Labor's Bureau of Labor Statistics.** Labor Force Statistics from the Current Population Survey. Accessed August 2, 2019. <https://www.bls.gov/cps/cpsaato3.htm>.
8. —. Injuries, Illnesses, and Fatalities. Accessed August 2, 2019. <https://www.bls.gov/iif/oshwc/foi/cftb0320.htm>.
9. **U.S. Department of Labor.** U.S. Department of Labor Fines Michigan Manufacturer \$28,474 for Child Labor Violations After Minor Suffers Amputation Injury. January 31, 2019. <https://www.dol.gov/newsroom/releases/whd/whd20190131>.
10. —. U.S. Department of Labor Investigation Finds Child Labor Violations by 8 Retailers at Mall in Elizabeth, New Jersey. February 13, 2019. <https://www.dol.gov/newsroom/releases/whd/whd20190213-0>.
11. —. Clothing Retailer Pays \$84,048 in Back Wages, Damages, and Penalties after U.S. Department of Labor Finds Child Labor, Retaliation Violations. May 29, 2019. <https://www.dol.gov/newsroom/releases/whd/whd20190529>.
12. —. U.S. Department of Labor Investigation Results in Florida Jimmy John's Franchise Paying Civil Penalty for Child Labor Violations. April 9, 2019. <https://www.dol.gov/newsroom/releases/whd/whd20190409-2>.
13. **Taylor, Lin.** Factbox: Conflicts and climate disasters forcing children into work. June 12, 2018. <https://www.reuters.com/article/us-global-child-labour-factbox/factbox-conflicts-and-climate-disasters-forcing-children-into-work-u-n-idUSKBN1J82D3>.
14. **Maki, Reed.** Data on Teen Work Safety (for Five Most Dangerous Jobs for Teens 2012 Report). June 6, 2012. <http://stopchildlabor.org/?p=2750>.
15. **Government of the United States of America.** Appropriations Act, Public Law 103-112, U.S.C., 107 Stat. 1082. Enacted: October 21, 1993. <http://uscode.house.gov/statutes/pl/103/112.pdf>.
16. **ILO.** Worst Forms of Child Labour Convention, 1999 (No. 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. Entry into force: November 19, 2000. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182.
17. **Shehu, Erin and Björn Nilsson.** Informal employment among youth: Evidence from 20 school-to-work transition surveys. Work4Youth Publication Series No. 8, February 2014. http://ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_234911.pdf.
18. **Government of the United States of America.** H.R. 2295 – Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (103rd). Enacted: September 30, 1993. <https://www.congress.gov/bill/103rd-congress/house-bill/2295>.
19. —. S. Amdt. 955 to H.R. 2295 – Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (103rd), 1st Session. September 30, 1993. <https://www.congress.gov/amendment/103rd-congress/senate-amendment/955>.



© iStock.com/hadynyah
Young Nepali boy in classroom. Nepal. March 13, 2015.

Appendix 1

Acronyms & Abbreviations

AF	Sub-Saharan Africa
AGOA	African Growth and Opportunity Act
AP	Asia and the Pacific
CEACR	International Labor Organization Committee of Experts on the Application of Conventions and Recommendations
IDP	Internally Displaced Persons
EAPCCO	Eastern Africa Police Chiefs Cooperation Organization
ECOWAS	Economic Community of West African States
ECPAT	End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes
EFA	Education for All
EU	European Union
EUR	Europe and Eurasia
FLSA	Fair Labor Standards Act
GDP	Gross Domestic Product
GSP	Generalized System of Preferences
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
IDB	Inter-American Development Bank
ILAB	Bureau of International Labor Affairs
ILO	International Labor Organization
ILO C. 29	International Labor Organization Convention No. 29: Convention Concerning Forced or Compulsory Labor, commonly known as the "Forced Labor Convention"
ILO C. 138	International Labor Organization Convention No. 138: Convention Concerning Minimum Age for Admission to Employment, commonly referred to as the "Minimum Age Convention"
ILO C. 182	International Labor Organization Convention No. 182: Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, commonly referred to as the "Worst Forms of Child Labor Convention"
ILO R. 190	International Labor Organization Recommendation No. 190: Recommendation Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, commonly referred to as the "Worst Forms of Child Labor Recommendation"
IMF	International Monetary Fund
INTERPOL	ICPO-INTERPOL/International Criminal Police Organization
IOM	International Organization for Migration
LAC	Latin America and the Caribbean

LFS	Labor Force Survey
LGBTI	Lesbian, Gay, Bisexual, Transgender, and Intersex
LSMS	Living Standards Measurement Survey
MENA	Middle East and North Africa
MERCOSUR	Common Market of the South (America); full members include Argentina, Brazil, Paraguay, Uruguay, and Venezuela (membership currently suspended)
MOU	Memorandum of Understanding
NGO	Non-Governmental Organization
OAS	Organization of American States
OCFT	Office of Child Labor, Forced Labor, and Human Trafficking
OSCE	Organization for Security and Co-operation in Europe
OSHA	Occupational Safety and Health Administration
Palermo Protocol	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime
PRSP	Poverty Reduction Strategy Paper
SDG	Sustainable Development Goals
SIMPOC	Statistical Information and Monitoring Program on Child Labor
TDA	Trade and Development Act
TVPRA	Trafficking Victims Protection Reauthorization Act
UCW	Understanding Children's Work
UK	United Kingdom
UN	United Nations
UN CRC	United Nations Convention on the Rights of the Child
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
USAID	U.S. Agency for International Development
USDOJ	U.S. Department of Justice
USDOL	U.S. Department of Labor
USDOS	U.S. Department of State
USHHS	U.S. Department of Health and Human Services
WFP	World Food Program
WHD	Wage and Hour Division
WHO	World Health Organization



© iStock.com/Bartosz Hadyniak
Young African children are learning English. Orphanage in Kenya. December 3, 2016.

Definitions Related to Child Labor

Definitions related to child labor are guided by ILO C. 138 on Minimum Age and ILO C. 182 on Worst Forms of Child Labor. ILO's Resolution Concerning Statistics of Child Labor, developed during the 18th International Conference of Labor Statisticians, provides the international framework for measuring children's work. See Appendix 7 for additional definitions.

WORKING CHILDREN

Working children are those engaged in any productive activity for at least 1 hour during the reference period. Productive activity includes market production and certain types of non-market production, principally the production of goods and services for their families' use. The work children perform may be in the formal or informal economy, inside or outside family settings, whether paid or unpaid. This includes children working in domestic service outside the child's own household for an employer, paid or unpaid. (1; 2)

CHILD LABOR

Child labor is a subset of "working children" and is work below the minimum age for work, as established in national legislation that conforms to international standards. The definition includes the worst forms of child labor. Child labor is a subset of working children because child labor excludes children who work only a few hours a week in permitted light work and those who are above the minimum age who engage in work not classified as a worst form of child labor. (1; 3)

FORCED CHILD LABOR

Forced labor, under international standards, is defined as all work or service that is exacted from any person under the menace of any penalty and for which the worker does not offer him or herself voluntarily. (4) Forced labor is work obtained by force, fraud, or coercion, including (a) by threat of serious harm to, or physical restraint against, any person; (b) by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or (c) by means of the abuse or threatened abuse of law or the legal process. (5) Circumstances that may give rise to involuntary work, when undertaken under deception or uninformed, include, inter alia, unfree recruitment at birth or through transaction such as slavery or bonded labor; situations in which the worker must perform a job of a different nature from that specified during recruitment without his or her consent; abusive requirements for overtime or on-call work that were not previously agreed with the employer; work in hazardous conditions to which the worker has not consented, with or without compensation or protective equipment; work with very low or no wages; in degrading living conditions imposed by the employer; work for other employers than agreed to; work for a longer period of time than agreed; and work with no or limited freedom to terminate the work contract. (6)

Forced child labor is a categorical worst form of child labor under ILO C. 182. (7) Children older than the minimum age for work are in forced child labor if work is involuntary and they are under the menace of penalty. For children younger than the minimum age, voluntariness does not need to be established because children cannot legally consent to work. Forced child labor also includes work performed with or for the child's parents for a third party under the threat or menace of any penalty directly applied to the child or parents. All children who are made to work as a result of parental forced labor are engaged in forced child labor. (4)

WORST FORMS OF CHILD LABOR

Worst forms of child labor refers to activities described and as understood in ILO C. 182: Worst Forms of Child Labor, 1999. (5) Under Article 3 of the Convention, the worst forms of child labor comprise the following activities:

- 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;
- The use, procuring, or offering of a child for prostitution, for the production of pornography, or for pornographic purposes;
- 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; and
- 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.

CATEGORICAL WORST FORMS OF CHILD LABOR

For this report, categorical worst forms of child labor refers to child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182. This category does not include the worst forms of child labor identified under Article 3(d) “hazardous work.” See also ILO C. 182: Worst Forms of Child Labor, 1999. (7)

HAZARDOUS WORK

Hazardous work refers to the worst form of child labor identified in ILO C. 182, Article 3(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.” ILO C. 182, Article 4, directs countries to consult with employers and workers to identify the types of hazardous work that should be prohibited by law or regulation. Hazardous work lists may describe specific activities, occupations, industries, or conditions. (2)



© Florian Kopp/imageBROKER/Alamy Stock Photo
Three girls in the entrance of a simple house, village of Moza Sabgogat
near Muzaffargarh, Punjab, Pakistan, Asia, June 23, 2011.

Appendix 3

ILO Conventions Related to Child Labor

The ILO brings together government, employer, and worker representatives of member states to establish and supervise the implementation of international labor standards, and develop policies and implement programs to advance decent work. (48) International labor standards are legal instruments drawn up by these ILO constituents that set out basic principles and rights at work. They can take the form of either conventions, protocols, or recommendations. Conventions and protocols are international treaties that are legally binding on ratifying member states. Ratifying countries commit themselves to implementing the convention or protocol in national law and practice and reporting on its application at regular intervals. Recommendations are non-binding and provide guidelines for action either as a complement to a convention, or as a stand-alone instrument. The following paragraphs describe key ILO instruments related to child labor and the minimum ages set by countries related to these instruments.

ILO CONVENTION 138: MINIMUM AGE FOR ADMISSION TO EMPLOYMENT, 1973

ILO C. 138 establishes that 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” (Article 2(3)). Countries whose economy and educational facilities are insufficiently developed may initially specify a minimum legal working age of 14 when ratifying the convention. In addition, Article 7(1) says that national laws or regulations may permit the employment or work of children ages 13 to 15 years in light work. Countries that have specified a minimum legal working age of 14 may permit light work for children ages 12 to 14. (8)

ILO CONVENTION 182: WORST FORMS OF CHILD LABOR, 1999

ILO C. 182 defines the worst forms of child labor and requires ratifying countries to take immediate action to secure the prohibition and elimination of the worst forms of child labor for persons under the age of 18.

Among other actions, ILO C. 182 requires ratifying countries to take effective and time-bound measures to prevent the engagement of children in the worst forms of child labor; help remove children from the worst forms of child labor and provide for their rehabilitation and social integration; ensure that children removed from the worst forms of child labor have access to free basic education

and, wherever possible and appropriate, vocational training; identify and reach out to children at special risk; take into account the special situation of girls; consult with employer and worker organizations to create appropriate mechanisms to monitor implementation of the convention; and assist one another in implementing the convention. (7)

ILO CONVENTION 29: FORCED LABOR, 1930

ILO C. 29 prohibits all forms of forced or compulsory labor, which is defined as “all work or service which is exacted from any person under the menace of any penalty and for which the person has not offered himself voluntarily.” (4)

ILO CONVENTION 105: ABOLITION OF FORCED LABOR CONVENTION, 1957

ILO C. 105 prohibits forced or compulsory labor as a means of political coercion or education, or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social, or economic system; as a method of mobilizing and using labor for economic development; as a means of labor discipline; as a punishment for having participated in strikes; and as a means of racial, social, national, or religious discrimination. (9)

PROTOCOL OF 2014 TO THE FORCED LABOR CONVENTION, 1930

The Forced Labor Protocol reaffirms the forced labor definition in ILO C. 29. It requires ratifying countries to take effective measures to prevent and eliminate forced and compulsory labor, to sanction perpetrators, and provide victims protection and access to appropriate remedies, such as compensation. It also requires ratifying countries to develop a national policy and plan of action to address forced or compulsory labor in consultation with employers’ and workers’ organizations. (10) The protocol supplements ILO C. 29; as such, only ILO member states that have ratified the convention can ratify the protocol.

FORCED LABOR (SUPPLEMENTARY MEASURES) RECOMMENDATION, 2014 (NO. 203)

Recommendation No. 203 provides non-binding practical guidance in the areas of prevention, protection of victims and ensuring their access to justice and remedies, enforcement and international cooperation. It supplements both the protocol and the convention. (11)

Appendix 4

How to Read a Country Profile

Country Overview. Each country profile begins with an overview for 2018 in a single paragraph, starting with a statement identifying the assessment level assigned to the country for 2018. Following the statement of assessment, the paragraph offers a summary of key findings in the country profile. The narrative includes any meaningful efforts taken by a government, defined as efforts in key areas where the government advanced its commitments to eliminate the worst forms of child labor. The narrative also notes the most common or egregious forms of child labor found in the country and highlights areas in which key gaps in government efforts remain.

Section I: Prevalence and Sectoral Distribution of Child Labor. The first section of each country profile attempts to provide, to the extent that information is available, a comprehensive picture of the worst forms of child labor in the country.

Table 1, Statistics on Children's Work and Education, contains at least four variables: percentage of working children, school attendance rate, percentage of children combining work and school, and primary completion rate. The majority of the country profiles have data for at least one of these variables. A smaller set of profiles contain data on children's work by sector. The age and methodologies of the original surveys that provide the underlying data vary, and in some cases, the surveys may not reflect the true magnitude of the child labor problem in the country.

Table 2, Overview of Children's Work by Sector and Activity, groups types of children's work by sector, using categories established by the ILO for national child labor surveys (Agriculture, Industry, and Services), as well as a category intended to capture work understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182, referred to by the report as "Categorical Worst Forms of Child Labor." Sectors and specific activities performed by children are sorted into these categories according to internationally accepted industry and occupational codes.

The first footnote identifies sectors or activities determined to be hazardous by national law or regulation as understood under Article 3(d) of ILO C. 182, and the second footnote provides the definition of "Categorical Worst Forms of Child Labor."

The table is followed by a narrative highlighting additional sector-specific information and social, economic, or political issues that affect the prevalence of child labor, such as barriers to accessing education, or major socioeconomic shocks to the country that may inhibit the government's ability to address child labor, such as a natural disaster or armed conflict.

Colombia

SIGNIFICANT ADVANCEMENT



In 2018, Colombia made a significant advancement in efforts to eliminate the worst forms of child labor. The government drafted two new bills: one to strengthen penalties in the Penal Code for crimes of commercial sexual exploitation, and one to establish more comprehensive provisions to protect children against cyber crimes that involve commercial sexual exploitation. The Ministry of Labor also significantly increased its resources dedicated to labor law enforcement and launched the campaign "Working is Not a Child's Task," which aims to prevent and eliminate child labor through awareness raising efforts. The government adopted the National Policy on Childhood and Adolescence. It also began implementing the Center for the Crime of Trafficking in Persons, which collects information and analysis on human trafficking and uses this information to develop effective public policies. However, children in Colombia engage in the worst forms of child labor, including in commercial sexual exploitation and illicit activities, each sometimes as a result of human trafficking. In addition, the government does not employ a sufficient number of labor inspectors.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Colombia engage in the worst forms of child labor, including in commercial sexual exploitation and illicit activities, each sometimes as a result of human trafficking. (1,2) The government publishes annual statistics on children's work from its National Household Survey. (3) However, activities and ages are not sufficiently specified in these data to determine child labor rates per sector. (3,4) Table 1 provides key indicators on children's work and education in Colombia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.9 (332,253)
Attending School (%)	5 to 14	94.1
Combining Work and School (%)	7 to 14	4.2
Primary Completion Rate (%)		105

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (5)
Source for all other data: International Labor Organization's analysis of statistics from Gran Encuesta Integrada de Hogares, Módulo de Trabajo Infantil (GEIH-MTI), 2017. (6)

Figure 1. Working Children by Sector, Ages 5-14



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 coffee,† sugarcane,† and unrefined brown sugar (panela)† (4,7-9) Animal husbandry;† hunting;† and fishing;† activities unknown (4,9-11)
Industry	Mining coal,† emeralds,† gold,† tungsten,† coltan,† and clay† (4,9,12-14) Producing bricks† (9,13)

† 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.

Commercial sexual exploitation of children occurs more often in private homes rented online than in commercial establishments. (4,9) In Bucaramanga, child victims of commercial sexual exploitation are allegedly recruited in schools by other students. (35) In mining areas, trafficking of children for forced labor and commercial sexual exploitation is widespread. (4,25,36) Reports also indicate that criminal gangs and dissident groups recruit Colombian and Venezuelan children to produce and traffic drugs and commit homicides and extortion. (37,38)

Some civil society groups report that the forced recruitment and use of minors in Colombia by illegal armed groups, including *Fuerzas Armadas Revolucionarias de Colombia* (FARC) dissidents, the National Liberation Army, the Popular Liberation Army, and non-ideological criminal organizations such as the Gulf Clan, continued and

How to Read a Country Profile (Continued)

Section II: Legal Framework for Child Labor

The second section indicates whether a country has ratified key international instruments related to child labor and assesses whether a country's legal framework meets international standards. This section begins with a statement about the extent to which the government has ratified key international conventions concerning child labor.

Table 3, Ratification of International Conventions on Child Labor, lists the relevant UN conventions concerning child labor. A checkmark indicates the country's ratification, acceptance, accession, or succession to the instrument, considering that these actions have the same practical legal effect regarding the substantive obligations of the instrument as ratification. If other relevant international instruments, beyond those listed in the table, were ratified during the reporting period, this may be recognized in a short narrative following the table.

A statement above **Table 4, Laws and Regulations on Child Labor**, indicates whether the government's laws and regulations related to child labor meet ILO C. 138 and C. 182 or whether gaps exist in the legal framework to adequately protect children from child labor.

Table 4 lists each of the relevant legal standards and notes which laws meet and do not meet international standards. Table 4 footnotes identify whether a government does not use conscription for military service, whether a government does not have a standing military, and whether an age is calculated based on available information.

The table is followed by a narrative describing any relevant laws the government enacted, or advanced to a significant step in the legislative process during the reporting period. If the government failed to take action on an existing draft bill that would fill a gap in the legal framework related to child labor, this also may be noted. The narrative also discusses why existing laws do not meet international standards.

Section III: Enforcement of Laws on Child Labor

The third section describes the roles of government agencies in enforcing laws related to child labor and reports on efforts made during the reporting period. It begins with a statement about whether the government has established institutional mechanisms to enforce laws and regulations on child labor (Table 5), notes whether gaps exist within the authority or operations of the ministries responsible for law enforcement, or whether enforcement data are missing.

Table 5, Agencies Responsible for Child Labor Law Enforcement, lists the agencies charged with enforcing such laws and identifies each agency's role. A footnote identifies whether an agency responsible for child labor enforcement was created during the reporting period. A subsequent narrative describes gaps in agency responsibilities or new information during the reporting period.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Colombia 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's laws and regulations are in line with relevant international standards (Table 4). However, gaps remain, including the differences in the minimum age for work and the compulsory schooling age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 35 of the Code on Childhood and Adolescence (44)
Minimum Age for Hazardous Work	Yes	18	Article 117 of the Code on Childhood and Adolescence (44)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 3 of Resolution 1796 (45)
Prohibition of Forced Labor	Yes		Article 17 of the Constitution; Articles 141 and 188A of the Penal Code; Article 5 of Resolution 3597 (46-48)
Prohibition of Child Trafficking	Yes		Article 17 of the Constitution; Articles 188A-188C of the Penal Code; Article 5 of Resolution 3597 (46-48)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 213-219B of the Penal Code (48)
Prohibition of Using Children in Illicit Activities	Yes		Articles 162, 188D, and 384 of the Penal Code; Article 2 of Resolution 3597 (46-48)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 13 of Law 418; Article 2 of Law 548 (49-50)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 13 of Law 418; Article 2 of Law 548 (49-50)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 162 of Law 599; Article 20 of Law 1098; Article 14 of Law 418 (44,48,49)
Compulsory Education Age	Yes	18	Decision C-376/10 of the Colombian Constitutional Court (51)
Free Public Education	Yes		Article 1 of Decree 4807 (52)

During the reporting period, members of Congress drafted a bill to strengthen penalties in the Penal Code for crimes of commercial sexual exploitation and to expand the range of criminal practices considered under these crimes. (4,53) The bill also increases minimum sentences to 26 years in prison for the procurement of a minor for commercial sexual exploitation, demanding a minor to perform sexual acts for money, and any involvement in sex tourism. (53) In addition, Congress drafted a bill that would revise the Penal Code to establish more comprehensive criminal provisions to protect children and adolescents from commercial sexual exploitation

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 (MOL) 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's (MOL) Inspection, Monitoring, Control, and Territorial Management Department	Receives complaints of labor law violations and conducts labor inspections, including inspections to verify labor conditions for adolescent workers and compliance with other child labor provisions. Oversees the Internal Working Group on Child Labor Eradication. (55) Operates the Integrated Registration and Information System for Child Labor, a child labor monitoring system that identifies children engaged in or at risk of child labor. (1,56)
Active Search Team for Trafficking in Persons, Sexual Exploitation of Children, Girls, and Adolescents and Related Crimes*	Uses a proactive investigation model to identify these crimes in regions where they occur instead of waiting for victims to seek attention at the national level. Created in 2018 by the Bogota Mayor's office. (25)
National Police	Investigates cases of commercial sexual exploitation and human trafficking. (4) Judicial police and the Technical Investigation Corps support the Attorney General's Office throughout the investigation process. (4)

How to Read a Country Profile (Continued)

Table 6 and Table 7 provide data on labor law and criminal law enforcement efforts, respectively, in 2017 and 2018.

Table 6, *Labor Law Enforcement Efforts Related to Child Labor*, provides information on labor law enforcement data, including information about the labor inspectorate's financial and human resources; authority to conduct inspections and assess penalties; and actions and mechanisms to enforce labor laws, including those related to child labor.

Table 7, *Criminal Law Enforcement Efforts Related to Child Labor*, provides information on criminal law enforcement data, including information about actions and mechanisms to enforce laws related to the worst forms of child labor.

Footnotes under each table identify whether the data included in the tables fall outside of the calendar year. A narrative follows each of these tables with more specific information on government mechanisms and efforts, and includes findings in which ILAB has concluded that government efforts fall short.

Section IV: Coordination of Government Efforts on Child Labor The fourth section provides information on institutions charged with coordinating efforts related to child labor. It begins with a statement indicating whether the government has established mechanisms to coordinate its efforts to address child labor, and whether any gaps exist that hinder the effective coordination of efforts to address child labor.

Table 8, *Key Mechanisms to Coordinate Government Efforts on Child Labor*, lists the country's key coordinating bodies; their composition, if known; and their respective mandates, as well as their efforts during the reporting period. A footnote states whether a mechanism to coordinate efforts to address child labor was created during the reporting period. A subsequent narrative may include findings on gaps in their efforts.

Labor Law Enforcement

In 2018, labor law enforcement agencies in Colombia took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$1,016,989 (24)	\$2,400,000 (4)
Number of Labor Inspectors	868 (59)	867 (4)
Inspectorate Authorized to Assess Penalties	Yes (9)	Yes (4)
Initial Training for New Labor Inspectors	Yes (60)	Yes (4)
Training on New Laws Related to Child Labor	N/A	N/A (4)
Refresher Courses Provided	Yes (9)	Unknown (4)
Number of Labor Inspections Conducted	Unknown	Unknown (4)
Number Conducted at Worksite	Unknown	Unknown (4)
Number of Child Labor Violations Found	247† (9)	Unknown (4)
Number of Child Labor Violations for Which Penalties Were Imposed	15 (9)	12 (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (4)
Routine Inspections Conducted	Yes (9)	Yes (4)
Routine Inspections Targeted	Yes (9)	Yes (4)
Unannounced Inspections Permitted	Yes (9)	Yes (4)
Unannounced Inspections Conducted	Yes (9)	Yes (4)
Complaint Mechanism Exists	Yes (7,9)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7,9)	Yes (4)

† Data are from January 2017 to October 2017.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Unknown (4)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (9)	N/A (4)
Refresher Courses Provided	Yes (9)	Yes (4)
Number of Investigations	Unknown	4,333 (4)
Number of Violations Found	Unknown	3,280 (4)
Number of Prosecutions Initiated	359 (9)	607 (4)
Number of Convictions	206 (59)	673 (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (63,64)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (4)

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 including the inconsistent coordination in human trafficking victim identification.

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

Coordinating Body	Role & Description
Interagency Committee for the Elimination of the Worst Forms of Child Labor and Protection of the Adolescent Worker (CIETI)	Coordinates efforts to combat the worst forms of child labor. Chaired by MOL, includes 13 government agencies and representatives from trade unions, business associations, and civil society organizations. (7) Oversees 32 department-level CIETIs throughout the country, each comprising municipal-level committees. (62) In 2018, department-level CIETIs were trained on the provisions in the National Policy Guidelines to Eradicate and Prevent Child Labor and Protect Adolescent Workers (2019–2029) and subsequently created department-level Action Plans to implement the guidelines in various regions. (4,66)
ICBF's National System of Family Well-Being	Promotes interagency coordination to protect children's rights, including rights related to child labor. (7) Designs, implements, monitors, and evaluates policies that affect children from early childhood to adolescence. Comprises the offices of the President and Vice President, 15 government ministries, and other government agencies. (70) ICBF provided technical assistance in 2018 to 125 officials in agencies comprising the National System of Family Welfare on protocols for referring children engaged in mining to social services in the departments of Cordoba, La Guajira, and Cesar. (4)
National Interagency Committee for the Prevention and Eradication of Child Commercial Sexual Exploitation	Coordinates and implements efforts to combat the commercial sexual exploitation of children. Led by MOL and comprises 15 government agencies. (7) Was active during the reporting period. (4)
Interagency Committee to Combat Trafficking in Persons	Leads and coordinates efforts among government agencies to combat human trafficking. Created by Law 985, chaired by the Ministry of the Interior, and comprises 16 government entities and 6 permanent invitees, including private sector and international organizations. (1) In 2018, conducted 44 technical advisory meetings with 32 departmental, municipal, and district-level committees to improve coordination. (4,25) Also provided multiple trainings for government agencies, including judicial branch officials and the Colombian National Police, businesses, indigenous communities, and academic institutions on how to identify and combat human trafficking crimes. (4) In May 2018, the Committee formalized an action plan that defines coordinating actions in prevention and awareness raising. The plan came into effect on June 1, 2019. (65)

How to Read a Country Profile (Continued)

Section V: Government Policies on Child Labor The fifth section describes a country's policies and plans to combat child labor and development policies that explicitly incorporate the issue of child labor. It begins with a statement indicating whether the government has established policies related to child labor, and whether policy gaps exist that hinder efforts to address child labor.

Table 9, Key Policies Related to Child Labor, lists the country's key policies, providing a description of each policy's objectives and any developments in implementation that occurred during the reporting period. Footnotes identify policies that were approved during the reporting period and notes small-scale policies that may have addressed child labor issues or had an impact on child labor.

The narrative following the table includes findings related to whether existing policies sufficiently address child labor issues in the country.

Section VI: Social Programs to Address Child Labor The sixth section describes social programs launched or implemented during the reporting period that focus on child labor and programs that address poverty, education, and other related matters that could have a beneficial effect on child labor. It begins with a statement as to whether the government funded or participated in social programs that include the goal of eliminating or preventing child labor, and whether gaps exist in these social programs.

Table 10, Key Social Programs to Address Child Labor, lists the country's key social programs and a description, including its activities and accomplishments, to the extent known, during the reporting period. Where possible, programs are hyperlinked to project websites for additional information. Footnotes identify policies that were approved during the reporting period, and whether the government had small-scale social programs with the goal of eliminating or preventing child labor.

The narrative following the table includes an analysis of the extent to which social programs were sufficient to address the scope of the problem or covered the key sectors in which children are known to work in the country.

Section VII: Suggested Government Actions to Eliminate the Worst Forms of Child Labor The last section of each country profile (Table 11) is a set of suggested actions for the country to consider taking in order to advance the elimination of child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy Guidelines to Prevent and Eradicate Child Labor and Protect the Adolescent Worker (2019–2029) [†]	Aims to focus on child labor eradication in agricultural policy, develop child labor prevention strategies, improve the quality and coverage of child protection services, protect adolescent workers from hazardous work, create strategies to address child labor in domestic work, and establish evaluation and monitoring mechanisms to assess progress. (66) The government updated this policy during the reporting period and held workshops for civil society in various regions of the country. (4) The Colombian Government, along with the Somos Tesoro Project, the School of Public Administration, and ILO developed an online course to train civil servants on implementation of the policy. (78)
National Policy on Childhood and Adolescence (2018–2030) [†]	Articulates multiple sub-policies on the worst forms of child labor, protection of adolescents, prevention and eradication of commercial sexual exploitation of children, and prevention of recruitment of children and adolescents by illegal armed groups. (4,79) Policy adopted in June 2018 to contribute to the comprehensive welfare and development of children and adolescents, recognizing them as rights-bearing subjects and integral to national development. (4,79)

In 2018, the Attorney General's Office reported conducting numerous trainings on the worst forms of child labor. Participants included the Colombian National Police, the ICBF, the Judicial Police Investigation Unit, and members of the Family Defenders Offices. (4) The Ministry of the Interior held numerous anti-trafficking in persons trainings, and the Colombian National Police, in cooperation with Interpol and UNODC, trained 130 law enforcement investigators at the national level. (4)

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, which cover the main sectors where child labor has been identified in the country (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Present Against Child Labor	Program developed by ICBF to address child labor throughout the country. In 2018, the ICBF's mobile teams conducted 1,962 "Present Against Child Labor" workshops to combat child labor in 267 municipalities across the country, with 6,166 participants, including children, adolescents, and their families—with activities including family strengthening and education on fundamental rights restitution. (4,92,93)
Projects Addressing Commercial Sexual Exploitation of Children [†]	As part of the National Policy Guidelines for the Prevention of the Commercial Exploitation of Children, the Colombian government continued its Eyes Everywhere (<i>Ojos en Todas Partes</i>) public awareness campaign, which aims to prevent the commercial sexual exploitation of children in the tourism sector. Led by the Ministry of Commerce, Industry, and Tourism, and implemented in coordination with ICBF and the National Tourism Fund. (1,4,25,94) In 2018, it focused on the goal of better identifying solicitors and victims of child sex tourism. (4) The Government of Colombia also supports the "We Protect" program, a web-based tool to collect, monitor, and address complaints of commercial sexual exploitation of children. (95) ICBF also created the Colombia Present Against the Commercial Sexual Exploitation of Girls, Boys, and Adolescents campaign, an awareness-raising campaign on commercial sexual exploitation and call to action for the public to report cases. (65)

Despite the requirement that children between the ages of 15 and 17 obtain official authorization to work, many adolescents work without such authorization. (62) Although the government did not provide the total number of labor inspections conducted in 2018, it did report that 2,757 inspections were conducted to determine whether authorizations for minors of the legal minimum work age were properly granted and 2,099 followup inspections of work sites were conducted to verify the appropriate conditions of work for authorized minors of the legal minimum work age. (4)

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 Colombia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Ensure that all labor inspectors have sufficient resources to perform inspections.	2009 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice and ensure the Ministry of Labor employs inspectors trained in victim identification of forced labor.	2009 – 2018
	Ensure that labor inspectors receive timely approval from the Attorney General's Office and judicial officers to conduct timely inspections on private property.	2018
	Collect and publish data on penalties and sentencing for crimes related to the commercial sexual exploitation and trafficking of children.	2018
	Ensure that government efforts on human trafficking victim identification and assistance are adequately coordinated between agencies.	2018
Government Policies	Publish information on activities taken under all policies related to child labor, including its worst forms.	2018

Appendix 5

Country Assessment Criteria

Each country in this report receives an assessment to indicate the USDOL's findings on the country's level of advancement in efforts to eliminate the worst forms of child labor during the reporting period. There are five possible assessment levels: Significant Advancement, Moderate Advancement, Minimal Advancement, No Advancement, or No Assessment. (41)

SIGNIFICANT ADVANCEMENT

For a country to be assessed as having significantly advanced efforts in 2018, the country must have (a) instituted the minimum requirements related to laws and regulations, enforcement mechanisms, and programs to address and prevent the worst forms of child labor (see Box A); and (b) during the reporting period made meaningful efforts in all relevant areas covering laws and regulations, enforcement, coordination, policies, and social programs, which may have included taking the suggested actions recommended in the 2017 report.

Box A:

Minimum Requirements Needed to be Considered for a Significant Advancement Assessment

In order for a country to be eligible to receive an assessment of Significant Advancement, a country must have:

- Established a minimum age for work that meets international standards;
- Established a minimum age for hazardous work that meets international standards;
- Established legal prohibitions against forced labor that meet international standards;
- Established legal prohibitions against child trafficking that meet international standards;
- Established legal prohibitions against commercial sexual exploitation of children that meet international standards;
- Established legal prohibitions against the use of children for illicit activities that meet international standards;
- Designated a competent authority or implemented institutional mechanisms for the enforcement of laws and regulations on child labor;
- Imposed penalties for violations related to the worst forms of child labor;
- Taken active measures to ensure that children are not inappropriately incarcerated, penalized, or physically harmed for unlawful acts as a direct result of being a victim of the worst forms of child labor;
- Taken active measures to investigate, prosecute, convict, and sentence public officials who participate in or facilitate the worst forms of child labor;
- Made a good faith effort to collect and publish labor and criminal law enforcement data; and
- Directly funded a significant social program that includes the goal of eliminating child labor or addressing the root causes of the problem, such as lack of education opportunities, poverty, or discrimination.

MODERATE ADVANCEMENT

A country moderately advanced efforts in eliminating the worst forms of child labor in 2018 if it made meaningful efforts during the reporting period in some relevant areas covering laws and regulations, enforcement, coordination, policies, and social programs, which may have included taking the suggested actions recommended in 2017.

MINIMAL ADVANCEMENT

Three types of countries made minimal advancement in efforts to eliminate the worst forms of child labor in 2018. The first is a country that made meaningful efforts during the reporting period in a few relevant areas covering laws and regulations, enforcement, coordination, policies, and social programs, which may have included taking the suggested actions recommended in 2017.

The other two types of countries are those that, regardless of meaningful efforts made in relevant areas, minimally advanced as a result of establishing or failing to remedy regressive or significantly detrimental laws, policies, or practices that delayed advancement in the elimination of the worst forms of child labor. Examples of regressive or significantly detrimental laws, policies, or practices include lowering the minimum age for work below international standards, recruiting or using children in armed conflict, and continuing to impose administrative barriers to child labor inspections. The following points make distinctions between regression and continued law, policy, or practice:

- **Regression in Law, Policy, or Practice that Delayed Advancement.** This type of country made meaningful efforts in a few or more relevant areas but established a regressive or significantly detrimental law, policy, or practice during the reporting period that delayed advancement in eliminating the worst forms of child labor.
- **Continued Law, Policy, or Practice that Delayed Advancement.** This type of country made meaningful efforts in a few or more relevant areas but failed to remedy a regressive or significantly detrimental law, policy, or practice established in previous years, which delayed advancement in eliminating the worst forms of child labor.

NO ADVANCEMENT

Three types of countries made no advancement in efforts to eliminate the worst forms of child labor in 2018. The first is a country that made no meaningful efforts to advance the elimination of the worst forms of child labor during the reporting period.

The other two types of countries are those that, regardless of whether meaningful efforts in relevant areas were made, had a policy or demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents, which is considered an egregious form of exploitation. Complicity can occur when a government is involved in forced child labor at any level of government, including at the local, regional, or national level. Such incidents involve direct or proactive government action to compel children under age 18 to work. The following points make distinctions between a country making no efforts and being complicit and a country making efforts but being complicit:

- **No Efforts and Complicit in Forced Child Labor.** This type of country made no meaningful efforts, took no suggested actions reported in 2017, and had a policy or demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents in 2018.
- **Efforts Made but Complicit in Forced Child Labor.** This type of country made meaningful efforts, which may have included taking the suggested actions reported in 2017, but had a policy or demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents in 2018.

NO ASSESSMENT

This assessment is reserved for countries in which the population of children is either non-existent or extremely small (fewer than 50), there is no evidence of the worst forms of child labor, and the country appears to have an adequate preventive legal and enforcement framework on child labor; or when a country is included in the report for the first time or receives a suggested action for the first time. Currently, only Wallis and Futuna falls into this category.

Country Assessments, by Assessment

COUNTRY	REGION	2018 ASSESSMENT LEVEL
SIGNIFICANT ADVANCEMENT		
Argentina	LAC	Significant Advancement
Colombia	LAC	Significant Advancement
Costa Rica	LAC	Significant Advancement
Côte d'Ivoire	AF	Significant Advancement
Ecuador	LAC	Significant Advancement
El Salvador	LAC	Significant Advancement
Guatemala	LAC	Significant Advancement
India	AP	Significant Advancement
Paraguay	LAC	Significant Advancement
Rwanda	AF	Significant Advancement
Serbia	EUR	Significant Advancement
Tunisia	MENA	Significant Advancement
MODERATE ADVANCEMENT		
Albania	EUR	Moderate Advancement
Algeria	MENA	Moderate Advancement
Angola	AF	Moderate Advancement
Bangladesh	AP	Moderate Advancement
Belize	LAC	Moderate Advancement
Benin	AF	Moderate Advancement
Bolivia	LAC	Moderate Advancement
Bosnia and Herzegovina	EUR	Moderate Advancement
Brazil	LAC	Moderate Advancement
Burkina Faso	AF	Moderate Advancement
Cabo Verde	AF	Moderate Advancement
Cambodia	AP	Moderate Advancement
Cameroon	AF	Moderate Advancement
Central African Republic	AF	Moderate Advancement
Chad	AF	Moderate Advancement
Chile	LAC	Moderate Advancement
Comoros	AF	Moderate Advancement
Cook Islands	AP	Moderate Advancement

Country Assessments, by Assessment (Continued)

COUNTRY	REGION	2018 ASSESSMENT LEVEL
Dominican Republic	LAC	Moderate Advancement
Egypt	MENA	Moderate Advancement
Eswatini	AF	Moderate Advancement
Ethiopia	AF	Moderate Advancement
Fiji	AP	Moderate Advancement
Gambia, The	AF	Moderate Advancement
Georgia	EUR	Moderate Advancement
Ghana	AF	Moderate Advancement
Guinea-Bissau	AF	Moderate Advancement
Guyana	LAC	Moderate Advancement
Honduras	LAC	Moderate Advancement
Indonesia	AP	Moderate Advancement
Jamaica	LAC	Moderate Advancement
Jordan	MENA	Moderate Advancement
Kosovo	EUR	Moderate Advancement
Lebanon	MENA	Moderate Advancement
Lesotho	AF	Moderate Advancement
Madagascar	AF	Moderate Advancement
Malawi	AF	Moderate Advancement
Mali	AF	Moderate Advancement
Mauritius	AF	Moderate Advancement
Montenegro	EUR	Moderate Advancement
Morocco	MENA	Moderate Advancement
Mozambique	AF	Moderate Advancement
Namibia	AF	Moderate Advancement
Nepal	AP	Moderate Advancement
Niger	AF	Moderate Advancement
Nigeria	AF	Moderate Advancement
North Macedonia	EUR	Moderate Advancement
Oman	MENA	Moderate Advancement
Pakistan	AP	Moderate Advancement
Panama	LAC	Moderate Advancement
Peru	LAC	Moderate Advancement
Philippines	AP	Moderate Advancement

Country Assessments, by Assessment (Continued)

COUNTRY	REGION	2018 ASSESSMENT LEVEL
Saint Helena, Ascensión, and Tristán da Cunha	EUR	Moderate Advancement
Saint Lucia	LAC	Moderate Advancement
Samoa	AP	Moderate Advancement
Senegal	AF	Moderate Advancement
Sri Lanka	AP	Moderate Advancement
Suriname	LAC	Moderate Advancement
Thailand	AP	Moderate Advancement
Togo	AF	Moderate Advancement
Turkey	EUR	Moderate Advancement
Uganda	AF	Moderate Advancement
Ukraine	EUR	Moderate Advancement
Uzbekistan	EUR	Moderate Advancement
Western Sahara	MENA	Moderate Advancement
Zambia	AF	Moderate Advancement
Zimbabwe	AF	Moderate Advancement
MINIMAL ADVANCEMENT		
Anguilla	EUR	Minimal Advancement
Bhutan	AP	Minimal Advancement
Botswana	AF	Minimal Advancement
Burundi	AF	Minimal Advancement
Congo, Republic of the	AF	Minimal Advancement
Djibouti	AF	Minimal Advancement
Dominica	LAC	Minimal Advancement
Falkland Islands (Islas Malvinas)	EUR	Minimal Advancement
Guinea	AF	Minimal Advancement
Haiti	LAC	Minimal Advancement
Kazakhstan	AP	Minimal Advancement
Kenya	AF	Minimal Advancement
Kiribati	AP	Minimal Advancement
Kyrgyz Republic	AP	Minimal Advancement
Liberia	AF	Minimal Advancement
Maldives	AP	Minimal Advancement

Country Assessments, by Assessment (Continued)

COUNTRY	REGION	2018 ASSESSMENT LEVEL
Montserrat	EUR	Minimal Advancement
Nicaragua	LAC	Minimal Advancement
Niue	AP	Minimal Advancement
Papua New Guinea	AP	Minimal Advancement
Saint Vincent and the Grenadines	LAC	Minimal Advancement
São Tomé and Príncipe	AF	Minimal Advancement
Solomon Islands	AP	Minimal Advancement
South Africa	AF	Minimal Advancement
Timor-Leste	AP	Minimal Advancement
Tokelau	AP	Minimal Advancement
Tuvalu	AP	Minimal Advancement
Vanuatu	AP	Minimal Advancement
West Bank and the Gaza Strip	MENA	Minimal Advancement
MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT		
Armenia	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Azerbaijan	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY THAT DELAYED ADVANCEMENT		
Sierra Leone	AF	Minimal Advancement – Efforts Made but Continued Policy that Delayed Advancement
MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE(S) THAT DELAYED ADVANCEMENT		
Congo, Democratic Republic of the	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Iraq	MENA	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Mongolia	AP	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Somalia	AF	Minimal Advancement – Efforts Made but Continued Practices that Delayed Advancement
Tanzania	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Tonga	AP	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement

Country Assessments, by Assessment (continued)

COUNTRY	REGION	2018 ASSESSMENT LEVEL
MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT		
Mauritania	AF	Minimal Advancement – Efforts Made but Continued Policy and Practice that Delayed Advancement
MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW AND PRACTICE THAT DELAYED ADVANCEMENT		
Moldova	EUR	Minimal Advancement – Efforts Made but Regression in Law and Practice that Delayed Advancement
MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT		
Gabon	AF	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
Yemen	MENA	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
NO ADVANCEMENT		
British Virgin Islands	EUR	No Advancement
Christmas Island	AP	No Advancement
Cocos (Keeling) Islands	AP	No Advancement
Grenada	LAC	No Advancement
Norfolk Island	AP	No Advancement
NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR		
Afghanistan	AP	No Advancement – Efforts Made but Complicit in Forced Child Labor
Burma	AP	No Advancement – Efforts Made but Complicit in Forced Child Labor
Eritrea	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor
South Sudan	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor
NO ASSESSMENT		
Wallis and Futuna	EUR	No Assessment

Comparison in Assessments from 2017 to 2018, by Country

COUNTRY	REGION	2017 ASSESSMENT LEVEL	2018 ASSESSMENT LEVEL
Afghanistan	AP	Moderate Advancement	No Advancement – Efforts Made but Complicit in Forced Child Labor
Albania	EUR	Moderate Advancement	Moderate Advancement
Algeria	MENA	Moderate Advancement	Moderate Advancement
Angola	AF	Moderate Advancement	Moderate Advancement
Anguilla	EUR	Minimal Advancement	Minimal Advancement
Argentina	LAC	Significant Advancement	Significant Advancement
Armenia	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Azerbaijan	EUR	Minimal Advancement – Efforts Made but Regression in Law that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Bangladesh	AP	Moderate Advancement	Moderate Advancement
Belize	LAC	Moderate Advancement	Moderate Advancement
Benin	AF	Moderate Advancement	Moderate Advancement
Bhutan	AP	Minimal Advancement	Minimal Advancement
Bolivia	LAC	Moderate Advancement	Moderate Advancement
Bosnia and Herzegovina	EUR	Moderate Advancement	Moderate Advancement
Botswana	AF	Minimal Advancement	Minimal Advancement
Brazil	LAC	Significant Advancement	Moderate Advancement
British Virgin Islands	EUR	Minimal Advancement	No Advancement
Burkina Faso	AF	Moderate Advancement	Moderate Advancement
Burma	AP	No Advancement – Efforts Made but Complicit in Forced Child Labor	No Advancement – Efforts Made but Complicit in Forced Child Labor
Burundi	AF	Minimal Advancement	Minimal Advancement
Cabo Verde	AF	Moderate Advancement	Moderate Advancement
Cambodia	AP	Moderate Advancement	Moderate Advancement
Cameroon	AF	Moderate Advancement	Moderate Advancement
Central African Republic	AF	Moderate Advancement	Moderate Advancement
Chad	AF	Minimal Advancement	Moderate Advancement
Chile	LAC	Moderate Advancement	Moderate Advancement
Christmas Island	AP	No Advancement	No Advancement
Cocos (Keeling) Islands	AP	No Advancement	No Advancement
Colombia	LAC	Significant Advancement	Significant Advancement
Comoros	AF	Minimal Advancement	Moderate Advancement

Comparison in Assessments from 2017 to 2018, by Country (Continued)

COUNTRY	REGION	2017 ASSESSMENT LEVEL	2018 ASSESSMENT LEVEL
Congo, Democratic Republic of the	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Congo, Republic of the	AF	Minimal Advancement	Minimal Advancement
Cook Islands	AP	Moderate Advancement	Moderate Advancement
Costa Rica	LAC	Significant Advancement	Significant Advancement
Côte d'Ivoire	AF	Significant Advancement	Significant Advancement
Djibouti	AF	Minimal Advancement	Minimal Advancement
Dominica	LAC	Minimal Advancement	Minimal Advancement
Dominican Republic	LAC	Moderate Advancement	Moderate Advancement
Ecuador	LAC	Significant Advancement	Significant Advancement
Egypt	MENA	Moderate Advancement	Moderate Advancement
El Salvador	LAC	Moderate Advancement	Significant Advancement
Eritrea	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor	No Advancement – Efforts Made but Complicit in Forced Child Labor
Eswatini	AF	Minimal Advancement	Moderate Advancement
Ethiopia	AF	Moderate Advancement	Moderate Advancement
Falkland Islands (Islas Malvinas)	EUR	No Advancement	Minimal Advancement
Fiji	AP	Moderate Advancement	Moderate Advancement
Gabon	AF	Minimal Advancement	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
Gambia, The	AF	Moderate Advancement	Moderate Advancement
Georgia	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Moderate Advancement
Ghana	AF	Moderate Advancement	Moderate Advancement
Grenada	LAC	Minimal Advancement	No Advancement
Guatemala	LAC	Significant Advancement	Significant Advancement
Guinea	AF	Moderate Advancement	Minimal Advancement
Guinea-Bissau	AF	Minimal Advancement	Moderate Advancement
Guyana	LAC	Minimal Advancement	Moderate Advancement
Haiti	LAC	Moderate Advancement	Minimal Advancement
Honduras	LAC	Significant Advancement	Moderate Advancement
India	AP	Significant Advancement	Significant Advancement

Comparison in Assessments from 2017 to 2018, by Country (Continued)

COUNTRY	REGION	2017 ASSESSMENT LEVEL	2018 ASSESSMENT LEVEL
Indonesia	AP	Moderate Advancement	Moderate Advancement
Iraq	MENA	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Jamaica	LAC	Moderate Advancement	Moderate Advancement
Jordan	MENA	Moderate Advancement	Moderate Advancement
Kazakhstan	AP	Moderate Advancement	Minimal Advancement
Kenya	AF	Moderate Advancement	Minimal Advancement
Kiribati	AP	Minimal Advancement	Minimal Advancement
Kosovo	EUR	Moderate Advancement	Moderate Advancement
Kyrgyz Republic	AP	Minimal Advancement	Minimal Advancement
Lebanon	MENA	Moderate Advancement	Moderate Advancement
Lesotho	AF	Moderate Advancement	Moderate Advancement
Liberia	AF	Moderate Advancement	Minimal Advancement
Madagascar	AF	Moderate Advancement	Moderate Advancement
Malawi	AF	Moderate Advancement	Moderate Advancement
Maldives	AP	Minimal Advancement	Minimal Advancement
Mali	AF	Moderate Advancement	Moderate Advancement
Mauritania	AF	Minimal Advancement – Efforts Made but Regression in Practice and Continued Policy that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Policy and Practice that Delayed Advancement
Mauritius	AF	Significant Advancement	Moderate Advancement
Moldova	EUR	Moderate Advancement	Minimal Advancement – Efforts Made but Regression in Law and Practice that Delayed Advancement
Mongolia	AP	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Montenegro	EUR	Moderate Advancement	Moderate Advancement
Montserrat	EUR	No Advancement	Minimal Advancement
Morocco	MENA	Moderate Advancement	Moderate Advancement
Mozambique	AF	Moderate Advancement	Moderate Advancement
Namibia	AF	Moderate Advancement	Moderate Advancement
Nepal	AP	Moderate Advancement	Moderate Advancement
Nicaragua	LAC	Minimal Advancement	Minimal Advancement
Niger	AF	Moderate Advancement	Moderate Advancement

Comparison in Assessments from 2017 to 2018, by Country (Continued)

COUNTRY	REGION	2017 ASSESSMENT LEVEL	2018 ASSESSMENT LEVEL
Nigeria	AF	Moderate Advancement	Moderate Advancement
Niue	AP	No Advancement	Minimal Advancement
Norfolk Island	AP	No Advancement	No Advancement
North Macedonia	EUR	Moderate Advancement	Moderate Advancement
Oman	MENA	Moderate Advancement	Moderate Advancement
Pakistan	AP	Moderate Advancement	Moderate Advancement
Panama	LAC	Moderate Advancement	Moderate Advancement
Papua New Guinea	AP	Minimal Advancement	Minimal Advancement
Paraguay	LAC	Significant Advancement	Significant Advancement
Peru	LAC	Significant Advancement	Moderate Advancement
Philippines	AP	Moderate Advancement	Moderate Advancement
Rwanda	AF	Significant Advancement	Significant Advancement
Saint Helena, Ascension, and Tristán da Cunha	EUR	No Advancement	Moderate Advancement
Saint Lucia	LAC	Moderate Advancement	Moderate Advancement
Saint Vincent and the Grenadines	LAC	Minimal Advancement	Minimal Advancement
Samoa	AP	Minimal Advancement	Moderate Advancement
São Tomé and Príncipe	AF	Minimal Advancement	Minimal Advancement
Senegal	AF	Minimal Advancement	Moderate Advancement
Serbia	EUR	Significant Advancement	Significant Advancement
Sierra Leone	AF	Minimal Advancement – Efforts Made but Continued Policy that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Policy that Delayed Advancement
Solomon Islands	AP	Minimal Advancement	Minimal Advancement
Somalia	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practices that Delayed Advancement
South Africa	AF	Significant Advancement	Minimal Advancement
South Sudan	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor	No Advancement – Efforts Made but Complicit in Forced Child Labor
Sri Lanka	AP	Moderate Advancement	Moderate Advancement
Suriname	LAC	Minimal Advancement	Moderate Advancement
Tanzania	AF	Minimal Advancement – Efforts Made but Continued Policy and Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement

Comparison in Assessments from 2017 to 2018, by Country (Continued)

COUNTRY	REGION	2017 ASSESSMENT LEVEL	2018 ASSESSMENT LEVEL
Thailand	AP	Significant Advancement	Moderate Advancement
Timor-Leste	AP	Moderate Advancement	Minimal Advancement
Togo	AF	Moderate Advancement	Moderate Advancement
Tokelau	AP	No Advancement	Minimal Advancement
Tonga	AP	No Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Tunisia	MENA	Significant Advancement	Significant Advancement
Turkey	EUR	Moderate Advancement	Moderate Advancement
Tuvalu	AP	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement	Minimal Advancement
Uganda	AF	Moderate Advancement	Moderate Advancement
Ukraine	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Moderate Advancement
Uzbekistan	AP	Moderate Advancement	Moderate Advancement
Vanuatu	AP	Minimal Advancement	Minimal Advancement
Wallis and Futuna	EUR	No Assessment	No Assessment
West Bank and the Gaza Strip	MENA	Minimal Advancement	Minimal Advancement
Western Sahara	MENA	Moderate Advancement	Moderate Advancement
Yemen	MENA	Minimal Advancement	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
Zambia	AF	Minimal Advancement	Moderate Advancement
Zimbabwe	AF	Moderate Advancement	Moderate Advancement

Appendix 6 Laws and Ratifications, by Country

COUNTRY	REGION	2018 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN AGE FOR WORK	EDUCATION	
						CRC- CSEC	CRC- AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Afghanistan	AP	No Advancement – Efforts Made but Complicit in Forced Child Labor	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Albania	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Algeria	MENA	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Angola	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	12	Yes
Anguilla	EUR	Minimal Advancement	No	No	Yes	No	No	No	12	17	Yes
Argentina	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	18	Yes
Armenia	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	17	Yes
Azerbaijan	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Bangladesh	AP	Moderate Advancement	No	Yes	Yes	Yes	Yes	No	14	10	Yes
Belize	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	12	14	Yes
Benin	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	16	Yes
Bhutan	AP	Minimal Advancement	N/A	N/A	Yes	Yes	Yes	No	13	N/A	Yes
Bolivia	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	17	Yes
Bosnia and Herzegovina	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes

Appendix 6

Laws and Ratifications, by Country (Continued)

COUNTRY	REGION	2018 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN AGE FOR WORK	EDUCATION	
						CRC- CSEC	CRC- AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Botswana	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	N/A	Yes
Brazil	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	17	Yes
British Virgin Islands	EUR	No Advancement	No	No	Yes	No	No	No	16	17	Yes
Burkina Faso	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Burma	AP	No Advancement – Efforts Made but Complicit in Forced Child Labor	No	Yes	Yes	Yes	No	Yes	14	10	Yes
Burundi	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	12	Yes
Cabo Verde	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Cambodia	AP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	N/A	Yes
Cameroon	AF	Moderate Advancement	Yes	Yes	Yes	No	Yes	Yes	14	12	Yes
Central African Republic	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes
Chad	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	16	Yes
Chile	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	18	Yes
Christmas Island	AP	No Advancement	No	Yes	Yes	Yes	Yes	Yes	15	17.5	Yes
Cocos (Keeling) Island	AP	No Advancement	No	Yes	Yes	Yes	Yes	Yes	15	17.5	Yes

Appendix 6 Laws and Ratifications, by Country (Continued)

COUNTRY	REGION	2018 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN AGE FOR WORK	EDUCATION	
						CRC- CSEC	CRC- AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Colombia	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	18	Yes
Comoros	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	No	15	12	Yes
Congo, Dem Rep of the	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	12	Yes
Congo, Rep of the	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	No	16	16	Yes
Cook Islands	AP	Moderate Advancement	No	Yes	Yes	No	No	No	16	16	Yes
Costa Rica	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	17	Yes
Côte d'Ivoire	AF	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Djibouti	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Dominica	LAC	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Dominican Republic	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	18	Yes
Ecuador	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Egypt	MENA	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
El Salvador	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	18	Yes
Eritrea	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor	Yes	Yes	Yes	Yes	Yes	Yes	14	14	No

Appendix 6

Laws and Ratifications, by Country (Continued)

COUNTRY	REGION	2018 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN AGE FOR WORK	EDUCATION	
						CRC- CSEC	CRC- AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Eswatini	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	12/13	No
Ethiopia	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	N/A	No
Falkland Islands (Islas Malvinas)	EUR	Minimal Advancement	No	Yes	Yes	No	No	No	14	16	Yes
Fiji	AP	Moderate Advancement	Yes	Yes	Yes	No	No	Yes	15	15	No
Gabon	AF	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Gambia, The	AF	Moderate Advancement	Yes	Yes	Yes	Yes	No	Yes	16	16	Yes
Georgia	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	15	Yes
Ghana	AF	Moderate Advancement	Yes	Yes	Yes	No	Yes	Yes	15	15	Yes
Grenada	LAC	No Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Guatemala	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes
Guinea	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Guinea-Bissau	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	No
Guyana	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Haiti	LAC	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	15	Yes

Appendix 6

Laws and Ratifications, by Country (Continued)

COUNTRY	REGION	2018 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN AGE FOR WORK	EDUCATION	
						CRC- CSEC	CRC- AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Honduras	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	17	Yes
India	AP	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes
Indonesia	AP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Iraq	MENA	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	12	Yes
Jamaica	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	16	Yes
Jordan	MENA	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Kazakhstan	AP	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	17	Yes
Kenya	AF	Minimal Advancement	Yes	Yes	Yes	No	Yes	Yes	16	14	Yes
Kiribati	AP	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes
Kosovo	EUR	Moderate Advancement	N/A	N/A	N/A	N/A	N/A	N/A	15	15	Yes
Kyrgyz Republic	AP	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	15	Yes
Lebanon	MENA	Moderate Advancement	Yes	Yes	Yes	Yes	No	Yes	14	15	Yes
Lesotho	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	13	Yes
Liberia	AF	Minimal Advancement	No	Yes	Yes	No	No	Yes	16	15	Yes
Madagascar	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes

Appendix 6

Laws and Ratifications, by Country (Continued)

COUNTRY	REGION	2018 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN AGE FOR WORK	EDUCATION	
						CRC- CSEC	CRC- AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Malawi	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	18	Yes
Maldives	AP	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Mali	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Mauritania	AF	Minimal Advancement – Efforts Made but Continued Policy and Practice that Delayed Advancement	Yes	Yes	Yes	Yes	No	Yes	16	14	Yes
Mauritius	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Moldova	EUR	Minimal Advancement – Efforts Made but Regression in Law and Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	18	Yes
Mongolia	AP	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Montenegro	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Montserrat	EUR	Minimal Advancement	No	No	No	No	No	No	16	16	Yes
Morocco	MENA	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Mozambique	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Namibia	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	16	Yes

Appendix 6

Laws and Ratifications, by Country (Continued)

COUNTRY	REGION	2018 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN AGE FOR WORK	EDUCATION	
						CRC- CSEC	CRC- AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Nepal	AP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	No	15	13	Yes
Nicaragua	LAC	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	12	Yes
Niger	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	N/A	Yes
Nigeria	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	12	15	Yes
Niue	AP	Minimal Advancement	No	No	Yes	No	No	No	N/A	16	Yes
Norfolk Island	AP	No Advancement	No	Yes	Yes	Yes	Yes	Yes	N/A	17	Yes
North Macedonia	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	16	Yes
Oman	MENA	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Pakistan	AP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	No	15	16	Yes
Panama	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes
Papua New Guinea	AP	Minimal Advancement	Yes	Yes	Yes	No	No	No	16	N/A	No
Paraguay	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes
Peru	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	17	Yes
Philippines	AP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	18	Yes
Rwanda	AF	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Saint Helena, Ascension, and Tristan da Cunha	EUR	Moderate Advancement	No	Yes	Yes	No	No	No	16	16	Yes

Appendix 6

Laws and Ratifications, by Country (Continued)

COUNTRY	REGION	2018 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN AGE FOR WORK	EDUCATION	
						CRC- CSEC	CRC- AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Saint Lucia	LAC	Moderate Advancement	No	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Saint Vincent and the Grenadines	LAC	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	16	Yes
Samoa	AP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	No	15	14	No
São Tomé and Príncipe	AF	Minimal Advancement	Yes	Yes	Yes	No	No	Yes	15	15	Yes
Senegal	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	16	Yes
Serbia	EUR	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Sierra Leone	AF	Minimal Advancement – Efforts Made but Continued Policy that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Solomon Islands	AP	Minimal Advancement	Yes	Yes	Yes	No	No	No	12	N/A	No
Somalia	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	No	Yes	Yes	No	No	No	15	14	Yes
South Africa	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	No
South Sudan	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor	Yes	Yes	Yes	Yes	Yes	No	14	13	Yes

Appendix 6 Laws and Ratifications, by Country (Continued)

COUNTRY	REGION	2018 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN AGE FOR WORK	EDUCATION	
						CRC- CSEC	CRC- AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Sri Lanka	AP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	16	Yes
Suriname	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	No	Yes	16	12	Yes
Tanzania	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	14	No
Thailand	AP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	16	Yes
Timor-Leste	AP	Minimal Advancement	No	Yes	Yes	Yes	Yes	Yes	15	16	Yes
Togo	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Tokelau	AP	Minimal Advancement	No	No	No	No	No	No	N/A	16	Yes
Tonga	AP	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	No	No	Yes	No	No	No	N/A	18	No
Tunisia	MENA	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Turkey	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	17	Yes
Tuvalu	AP	Minimal Advancement	No	No	Yes	No	No	No	15	15	No
Uganda	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	No	16	13	Yes
Ukraine	EUR	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	17	Yes
Uzbekistan	AP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	18	Yes

Appendix 6

Laws and Ratifications, by Country (Continued)

COUNTRY	REGION	2018 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALERMO PROTOCOL	MIN AGE FOR WORK	EDUCATION	
						CRC- CSEC	CRC- AC			COMPULSORY EDUCATION AGE	FREE PUBLIC EDUCATION
Vanuatu	AP	Minimal Advancement	No	Yes	Yes	Yes	Yes	No	14	N/A	No
Wallis and Futuna	EUR	No Assessment	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
West Bank and the Gaza Strip	MENA	Minimal Advancement	N/A	N/A	Yes	Yes	Yes	No	15	16	Yes
Western Sahara	MENA	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Yemen	MENA	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	No	14	15	Yes
Zambia	AF	Moderate Advancement	Yes	Yes	Yes	No	No	Yes	15	N/A	Yes
Zimbabwe	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	12	No

Appendix 7

Reference Materials Key Concepts and Definitions

CHILDREN'S WORK AND EDUCATION STATISTICS: SOURCES AND DEFINITIONS

In this report, 96 countries include a statistical table (Table 1. Statistics on Children's Work and Education) with data on the percentage of working children, school attendance rate, percentage of children who combine school and work, and/or primary completion rate. For a smaller set of profiles, a chart lists the percentages of children who work by sector.

This appendix provides definitions and descriptions of the sources for these data and some of the strengths and weakness inherent in these data. In a few cases, more current sources of data may be available than the ones used in this report; however, the most reliable, standardized sources available to date are used to allow for cross-country comparisons. Because reliable child labor surveys are not available for many countries, in some cases, USDOL uses statistics from child labor surveys that are more than 10 years old (data from 2008). If data did not exist from the sources described below, if no other reliable and publicly available source of data exists for a country, or if data exists but has not been analyzed to allow for cross-country comparisons, this report concludes that the statistics are "unavailable."

WORKING CHILDREN

Many of the statistical tables in the country profiles in this report present data on the percentage and

number of working children. Data presented in the current report may differ from data that were presented in previous reports because updated data have become available.

DEFINITION

"Working children" describes children engaged in any productive activity for at least 1 hour during the reference period. Productive activity includes market production and certain types of non-market production, principally the production of goods and services for own use. The work children perform may be in the formal or informal economy, inside or outside family settings, or for pay or profit. This includes children working in domestic service outside the child's own household for an employer, paid or unpaid. This definition is in accordance with the Resolution to amend the 18th ICLS Resolution concerning statistics of child labour, adopted by the 20th International Conference of Labour Statisticians in 2018, and the report, *ILO Global Estimates of Child Labour: Results and Trends, 2012–2016*. (1; 3)

WORKING CHILDREN VERSUS CHILDREN ENGAGED IN CHILD LABOR

This report presents statistics on "working children" rather than on "children involved in child labor." These terms are defined precisely in the section "Definitions Related to Child Labor." The definition of working children does not vary among countries and, therefore, statistics on working children are comparable across the country profiles. In contrast, the definition of "children involved in child labor"

is based on national legislation, including, for example, the minimum age for work, which varies from country to country. As a result, child labor data are not comparable across countries. Further, these country-level statistics may not disaggregate child labor from the broader category of child work, thereby including children who work only a few hours a week in permitted light work. For the purposes of this report, ILAB is unable to clearly articulate the proportion of working children who are involved in child labor.

DATA SOURCES AND LIMITATIONS

Data are from the ILO's analysis of primarily four survey types: (a) the ILO's SIMPOC surveys; (b) UNICEF's Multiple Indicator Cluster Surveys (MICS); (c) national Labor Force Surveys (LFS); and (d) other national and regional level household surveys, including Demographic and Health Surveys (DHS). (13)

According to the ILO researchers, typical surveys on children's work do not collect sufficiently detailed information on children's activities to accurately measure economic activity. (14) This observation was repeated in December 2008 at the 18th International Conference of Labor Statisticians. A resolution adopted at the conference provides guidelines for governments on collecting child labor data. Specifically, the guidance indicates that countries can choose to use a broad framework to measure children's work and child labor that encompasses unpaid household services or that countries can use a narrower definition of children's work that excludes such services, as long as the definition used is clearly specified. (15) This resolution is contributing to the collection of more comparable data on children's involvement in non-market activities.

In analyzing the data from the above-mentioned surveys, the ILO attempted to apply a standard definition of children's work. Although UNICEF's MICS and ILO's SIMPOC reports, for example, each

use a different definition of work. As of the writing of this report, MICS reports include household chores in their definition of work, while SIMPOC reports do not. To the extent possible, the ILO applied a common definition of work to the micro-data described. To date, this has resulted in the individual analysis of more than 184 data sets. While every attempt was made to present a standardized child work statistic, differences across the surveys have the potential to affect the comparability of statistics across countries and across years. Some of these differences are explained in greater detail here; however in general, they include differing age groups, questionnaire content and wording, purpose of the survey, sample design, non-sampling errors, and the year of data collection.

In general, data are presented for children ages 5 to 14, but some of the profiles present a work statistic for children ages 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 also may affect the results. For example, the question on work in these surveys usually refers to work during the past 7 days; however, some surveys may refer to work activities during the past 12 months, and therefore, they are likely to capture a higher proportion of working children than surveys with 7-day timeframes. The purpose of the survey—whether specifically to measure children's work and child labor (SIMPOC surveys) or to measure the labor force participation of adults—may affect estimates of children's work. (16) In addition, sample design may affect the survey results. For example, children's work is often clustered geographically; SIMPOC surveys are designed to capture children's work in such geographic areas. As a result, estimates of working children vary across surveys that do not use the same sample design. (16) The ILO and UNICEF continue to investigate the effects of these survey differences on estimates of children's work.

As noted, some country profiles also include the sector in which children reportedly work. For some

surveys, the sector of work was not reported by the entire sample of working children. Therefore, the distribution of children working by sector—agriculture, industry, and services—represents children with non-missing data for the sector of work. Additional information on the sectors of work reported in the chart appear in Table 1.

PERCENTAGE OF CHILDREN ATTENDING SCHOOL

The percentage of children attending school is the share of all children within a specified age group that reported attending school. The ILO data described above in the section “Working Children” are used to develop country-specific school attendance statistics. To be consistent with estimates of working children, the age group for which attendance statistics are calculated for children is generally ages 5 to 14. In some cases, however, different age categories are used, usually ages 6 to 14 or 7 to 14.

PERCENTAGE OF CHILDREN COMBINING WORK AND SCHOOL

The percentage of children who combine work and school is the share of all children within a specified age group reporting both working and attending school. The ILO data described earlier under “Working Children” are used to develop country-specific statistics on children combining work and school. The age group for which these statistics are calculated is usually for children ages 7 to 14.

PRIMARY COMPLETION RATE

This report uses the “gross intake ratio to the last grade of primary education” as a proxy measure for primary completion. This ratio is the total number of new entrants in the last grade of primary education, regardless of age, expressed as a percentage of the population at the theoretical entrance age to the last grade of primary education. A high ratio indicates a high degree of current primary education completion. The calculation includes all new entrants to the last grade, regardless of age. Therefore, the ratio can exceed 100 percent, due

to over-aged and under-aged children who enter primary school late or early, or repeat grades.

DATA SOURCES AND LIMITATIONS

Unlike the other statistics presented in the country profile data tables, which are all based on the ILO analysis described earlier, primary completion rate data are from the UNESCO Institute for Statistics. The data were downloaded on March 16, 2019, and are available at <http://data.uis.unesco.org/>. Further information on this statistic is available from the UNESCO Institute for Statistics Glossary at <http://uis.unesco.org/en/glossary>.

UNESCO uses population estimates from the UNDP to calculate some of the rates it publishes, including the gross intake ratio to the last grade of primary education. These population estimates change over time. The last revision that affected the statistics used in this report was in 2018. All population-based indicators, including the gross intake ratio to the last grade of primary education, for all years are re-calculated using these latest estimates. For some countries and years, when the new UNDP population estimates are found to be inconsistent with education data, related indicators are removed. All updates made to UNESCO data on the gross intake ratio to the last grade of primary education are reflected in the primary completion rate statistic included in this report.

LABOR LAW ENFORCEMENT: SOURCES AND DEFINITIONS

LABOR FORCE CALCULATION

This report uses data from the CIA World Factbook, which lists the most recent estimates for countries’ total labor force. This number is used to calculate a “sufficient number” of labor inspectors based on the country’s level of development, as determined by the UN. (17)

COUNTRY CLASSIFICATION

For analyses, the Development Policy and Analysis Division of the Department of Economic and Social

Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of four broad categories: (a) developed economies, (b) economies in transition, (c) developing economies, and (d) least developed countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries, in particular the economies in transition, have characteristics that could place them in more than one category; however, for analyses, the groupings have been made mutually exclusive. This is decided upon by the UN Economic and Social Council and, ultimately, by the General Assembly deciding on the list of the least developed countries based on recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met for per capita GNI, a human assets index, and an economic vulnerability index. For the *Findings on the Worst Forms of Child Labor report*, “developed economies” equate to the ILO’s classification of “industrial market economies,” “economies in transition” to “transition economies,” “developing economies” to “industrializing economies,” and “the least developed countries” equate to “less developed countries.” Countries that appear on both “developing countries” and “least developed countries” lists are considered “least developed countries” for calculating a “sufficient number” of labor inspectors. (18)

NUMBER OF LABOR INSPECTORS

Article 10 of ILO Convention No. 81 calls for a “sufficient number” of inspectors to do the work required. Because each country assigns different priorities of enforcement to its inspectors, there is no official definition for a “sufficient number” of inspectors. The factors that need to be considered include the number and size of establishments, and the total size of the workforce. No single measure is sufficient, but in many countries, the available data sources are weak. The ratio of inspectors per workforce is currently the only internationally comparable indicator available. In its policy and technical advisory services, the ILO has taken

as reasonable benchmarks that the number of labor inspectors in relation to workers should approach: 1/10,000 in industrial market economies, 1/15,000 in industrializing economies, 1/20,000 in transition economies, and 1/40,000 in less developed countries. (19)

ILO COMMITTEE OF EXPERTS ON THE APPLICATION OF CONVENTIONS AND RECOMMENDATIONS

The ILO CEACR examines and makes two types of comments on the application of international labor standards by states that are party to the relevant conventions. Direct requests contain the Committee’s technical comments or questions about the state’s application of a particular convention, and these requests are sent directly to governments. Observations, which are published in the Committee’s annual report, contain comments on fundamental questions raised by a state’s application of a particular convention and recommendations for the state. (21)

GLOSSARY OF OTHER TERMS

BASIC EDUCATION

Article 7(c) of ILO C. 182 requires countries to “ensure access to free basic education.” According to the International Standard Classification of Education, basic education corresponds to the first 9 years of formal schooling and comprises primary and lower secondary education. Primary education is considered to be the first stage of “basic education” and covers 6 years of full-time schooling, with the legal age of entrance normally being no younger than 5 years or older than 7 years. Primary education is designed to give pupils a sound basis in reading, writing, and mathematics, along with an elementary understanding of other subjects, such as history, geography, natural science, social science, religion, art, and music. Lower secondary education is more subject-focused and requires specialized teachers. It corresponds to about 3 years of schooling and marks the end of compulsory education where it

exists. Basic education also can include various non-formal and informal public and private educational activities offered to meet the defined basic learning needs of groups of people of all ages.

Article 13 of the 1966 International Covenant on Economic, Social and Cultural Rights indicates that primary education should be compulsory and free to all. Secondary education, including technical and vocational education, should be available and accessible to all, and free education should be progressively introduced. Article 28 of the 1989 Convention on the Rights of the Child affirms the right of the child to education and the state's duty to ensure that primary education is free and compulsory. (22; 23; 24; 25; 7)

BONDED LABOR, DEBT BONDAGE

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). (25)

Bonded labor typically occurs when a person who needs a loan and has no security to offer, pledges his or her labor, or that of someone under his or her control, as 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 intergenerational debt. (26; 27)

Bonded labor is prohibited as one of the worst forms of child labor in ILO C. 182. (7)

CHILD DOMESTIC WORKER

A “child domestic worker” works in third-party private households under an employment relationship. Child domestic workers engage in various tasks that include cleaning, cooking, gardening, collecting water, and caring for children and the elderly. Child domestic workers sometimes have live-in arrangements, whereby they live in their employer's household and work in exchange for room, board, and sometimes education. Child domestic workers are vulnerable to the worst forms of child labor, including sexual, physical, and verbal abuse, in large part because they often depend on their employers for basic needs and work in locations hidden from public view. (28; 29)

CHILD LABOR ELIMINATION PROJECTS

Since 1995, USDOL has funded 332 projects in 98 countries. USDOL currently oversees more than \$249 million in active programming to combat exploitative child labor. To date, USDOL-funded projects have provided nearly 2 million children with education and vocational training opportunities as a strategy for preventing and reducing child labor and increasing access to education in disadvantaged communities. In addition, USDOL's projects have improved livelihoods for approximately 185,000 vulnerable families as a means of reducing their reliance on child labor. (30)

CHILD TRAFFICKING

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, (Palermo Protocol) provides a definition of “human trafficking” for children that states “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.” Therefore, there does not need to be abuse of power, control, coercion, or fraud present to constitute child

trafficking, as the definition for adults requires. The Palermo Protocol provides a commonly accepted definition of “human trafficking” in Article 3(a) that trafficking in persons means “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.” (32)

The trafficking of children is prohibited as a worst form of child labor in ILO C. 182, Article 3(a). (7)

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.” (32; 33; 34) The remuneration dynamic distinguishes CSEC from the sexual abuse of a child, which does not include commercial gain; however, sexual exploitation also includes abuse. The definition of CSEC includes these activities:

Prostitution in the streets or indoors, in such places as brothels, discotheques, massage parlors, bars, hotels, and restaurants, among others:

- Child sex tourism
- The production, promotion, and distribution of pornography involving children
- The use of children in sex shows (public or private)

ILO C. 182, Article 3(b), prohibits using, procuring, or offering a child for prostitution or for the production of pornography or for pornographic performances. (7)

COMPULSORY EDUCATION AGE

The age up to which children and youth are legally required to attend school. (21)

CONVENTION ON THE RIGHTS OF THE CHILD

The Convention on the Rights of the Child spells out the basic rights of children, such as the right to survival; to develop to the fullest; to be protected from harmful influences, abuse, and exploitation; and to participate fully in family, cultural, and social life. The Convention protects children’s rights by setting standards in health care; education; and legal, civil, and social services. According to Article 32 of the Convention, children have the right “to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral, or social development.” (35)

HAZARDOUS WORK

Article 3(d) of ILO C. 182 sets forth the following as a worst form of child labor: “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.” This is colloquially referred to as “hazardous work.” Countries must determine which types of work are considered to be hazardous work by law or regulation. ILO R. 190 includes options for consideration in determining which types of work are hazardous.

ILLICIT ACTIVITIES

ILO C. 182, Article 3(c), prohibits “the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs.” Illicit activities in this context can include crimes, but the activity need not be illegal to be considered illicit. (16) According to ILO R. 190 and the General Survey

on the Fundamental Conventions Concerning Rights at Work, illicit activities can include “activities which involve the unlawful carrying or use of firearms or other weapons,” and “the use of children by criminal organizations for transporting weapons and carrying out arson attacks or destroying public or private property, illicit activities such as housebreaking and petty theft, and... children being engaged by adults in car breaking, housebreaking, selling drugs and selling stolen goods, use of children for forced or organized begging, gambling, the unlawful carrying or use of firearms or other weapons, or for the commission of an offence or a crime using violence or the threat of violence.” (37; 38)

ILO RECOMMENDATION NO. 190: WORST FORMS OF CHILD LABOR

ILO R. 190 supplements the provisions of ILO C. 182 and provides guidance to ratifying countries regarding its implementation. It provides guidelines to assist countries in determining what types of work should be considered hazardous and thus what type of work countries should prohibit for all children as a worst form of child labor, in accordance with Article 4 of ILO C. 182. ILO R. 190 describes populations in need of specific attention regarding the worst forms of child labor, such as girls and children involved in hidden forms of work. It also provides guidance regarding specific steps that countries which have ratified ILO C. 182 should take to combat the worst forms of child labor, such as the collection and exchange of data on both the problem and best practices to address it; passage and enforcement of laws that penalize violations with criminal penalties; awareness-raising about the problem; establishment of policies against the worst forms of child labor; and international cooperation through technical, legal, and other forms of assistance. (37)

INFORMAL SECTOR

While the concept of the informal sector was introduced into international usage in the 1970s, it was only in 1993 at the 15th International Conference

of Labor Statisticians that an internationally recognized definition was established for data collection to delineate the “informal sector” as unincorporated, small, or unregistered enterprises, and the employees of those enterprises. An enterprise is unincorporated if no complete set of accounts are available that would permit a financial separation of the activities of the enterprise from that of its owners, and it produces marketable goods or services. The registration and size criteria are determined according to national circumstances and legislation, which provide a degree of flexibility in identifying the informal sector from country to country. However, all interpretations of this sector share the notion of enterprises whose activities are not covered or are insufficiently covered by law, or whose activities are not covered by law in practice, meaning that the relevant law is not applied or enforced. Workers in such enterprises often lack the benefits of regular, stable, and protected employment. Because employers in the informal sector are generally either not covered by labor laws or are not held accountable for complying with labor protections, including occupational safety measures, children who work in “hazardous” or “ultra-hazardous” informal settings likely face increased risk of exploitation, including injury. In addition, because businesses in the informal sector are not usually included in official statistics, children working in informal sector enterprises may not be counted in labor force activity rates. (39; 40)

LIGHT WORK

This report uses the definition of “light work” as established in ILO C. 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 ages 12 to 14 in light work as defined in Article 7(1), but should specify limitations on their hours of work, as well as activities and conditions in which light work may be undertaken. (8)

MINIMUM AGE FOR WORK

The minimum age for work is the age at which a child can enter into work. ILO C. 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 age 15, or age 14 for developing countries that specified a minimum legal age of 14 upon ratification of ILO C. 138. (27)

NON-FORMAL EDUCATION

Non-formal education is any organized educational activity outside of 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. (27)

OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT

This optional UN protocol, adopted in 2000, addresses and commits ratifying countries to take action against the involvement of children in armed conflict, which is a worst form of child labor per ILO C. 182, Article 3(a). (40)

OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

This optional UN protocol, adopted in 2000, addresses and commits ratifying countries to take

action against the commercial sexual exploitation of children, which is a worst form of child labor as defined in ILO C. 182, Article 3(b). (41)

POVERTY REDUCTION STRATEGY PAPER

This document is 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 IMF, as well as debt relief under the World Bank’s Highly Indebted Poor Countries Initiative. A poverty reduction strategy paper (PRSP) should be used to measure poverty in the country, identify goals for reducing poverty, and create a spending and policy program for reaching those goals. A PRSP also should 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 3 years to continue receiving assistance from international financial institutions such as the World Bank. (42)

PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN, SUPPLEMENTING THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME (PALERMO PROTOCOL)

The Palermo Protocol supplements the United Nations Convention against Transnational Organized Crime and covers the trafficking of children, also delineated as a worst form of child labor under ILO C. 182, Article 3(a). (32) See “Child Trafficking” above.

RATIFICATION

Ratification is a serious undertaking whereby a state formally accepts the terms of an international agreement, thus becoming legally bound to apply it. Other ways of becoming bound to an international agreement include acceptance, approval, accession, signature, or through an exchange of notes.

To ratify an agreement, a country must adopt new laws and regulations, if necessary, or modify the

existing legislation and practice to support the agreement and formally deposit the instruments of ratification with the appropriate depositary. In the case of ILO Conventions, ratifications must be registered with the Director-General of the ILO. (43)

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, because 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 that would defeat the objective and purpose of the international agreement, unless it makes clear its intention not to become a party to the international agreement. 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 submitted to the ILO's depositary. (44)

In the case of ILO Conventions, ILO procedures provide the option of ratifying or not ratifying a convention, but they do not include the option of signing 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. (7; 9; 44)

UNPAID HOUSEHOLD SERVICES

For this report, the term “unpaid household services” by children refers to the domestic and personal services a child performs within the child's own household, under the following conditions: (a) for long hours; (b) in an unhealthy environment, including equipment or heavy loads; or (c) in dangerous locations. (3)

Appendix 8

Research Framework and Organization of Country Profiles

RESEARCH METHODS

This section describes the research methods used for data collection, as well as the sources, analysis of information, and the limitations of these methods in this report.

DATA COLLECTION AND SOURCES

Information was gathered for this report through desk research, U.S. embassy reporting, and limited fieldwork. Information also was received from some foreign governments. Desk research consisted of an extensive review of mostly online materials, which included both primary and secondary sources. The sources included academic and independent researchers, media outlets, NGOs, international organizations, foreign governments, and U.S. Government agencies. Information also was collected from U.S. Government-funded technical assistance and field research projects.

Examples of the sources used in this report are the most recent available editions of country laws relevant to child labor; national-level child labor surveys; NGO reports on the nature of child labor in various countries; and UN reports, including direct requests and observations by the ILO Committee of Experts. (21)

The U.S. Department of State and U.S. embassies and consulates abroad provided important information by gathering data from contacts, conducting site visits, and reviewing local media sources. A request for information from the public was published in the

Federal Register, and a copy of the request was mailed to the Washington, D.C.-based foreign embassies of the countries included in this report. (45) Data also were gathered through site visits to certain countries covered in this report, and included the collection of additional documents and key informant interviews.

ANALYSIS OF INFORMATION

The existence of child labor, particularly in its worst forms, often involves violations of laws and regulations, including serious criminal violations in some egregious cases. Information on child labor may be intentionally suppressed. Victims of the worst forms of child labor are often unable to claim their rights or even communicate the abuse they are suffering because they are traumatized, unaware of their rights under the law, or politically underrepresented or marginalized. These factors make information on the worst forms of child labor difficult to obtain. Therefore, to compile a credible and comprehensive report, ILAB used the following criteria to assess information:

NATURE OF THE INFORMATION

Whether the information about child labor and government efforts to combat it gathered from research, public submissions, or other sources was relevant and probative, and covered the “worst forms of child labor” and “government efforts” as used in this report (see “Key Definitions”). Specific evidence of government efforts was preferred when it was available.

DATE OF THE INFORMATION

Whether the source information about child labor was no more than 5 years old. More current information was given priority, and to the extent possible, ILAB used sources published during the reporting period. Information from sources older than 5 years was generally not considered.

In the case of child labor statistics, however, certain factors contribute to less frequent generation of new data. Because government and other efforts to address exploitative child labor take time to have an impact on national-level rates of child labor, children's involvement in such activities does not change dramatically from year to year. Child labor surveys are carried out infrequently, in part, because the child labor picture does not change frequently, although the number of surveys have increased recently. To present an overall picture of children's work in as many countries as possible, ILAB used statistics that are, in some cases, more than 10 years old (from 2008) as of the writing of this report. For more information on the statistics used in this report, see "Children's Work and Education Statistics: Sources and Definitions".

In addition, in cases in which previous editions of this report have asserted that the worst forms of child labor exist in the production of goods, and in the absence of evidence that the problem has been effectively eliminated, sources more than 5 years old may be used. This practice makes the report's information on such forms of child labor consistent with USDOL's *List of Goods Produced by Child Labor or Forced Labor, as mandated by the Trafficking Victims Protection Reauthorization Act of 2005 (TVPRA)*. *Statements that the worst forms of child labor exist in the production of goods will be removed when there is evidence that the problem has been effectively eliminated.*

SOURCE OF THE INFORMATION

Whether the information, either from primary or secondary sources, was from a source in which methodology, prior publications, degree of familiarity and experience with international labor standards, or reputation for accuracy and objectivity warranted a determination that it was relevant and probative.

EXTENT OF THE CORROBORATION

Whether the information about the use of child labor was corroborated by other sources.

LIMITATIONS

While data on the worst forms of child labor and information about government efforts to provide remediation are improving, data are still insufficient to provide a complete understanding of the problem. A lack of information may create the impression that a country has less serious problems with the worst forms of child labor than it actually has. At the same time, a dearth of information may create the impression that a government is doing less than it should when, in fact, efforts to combat child labor exist, but are simply unreported or unpublicized. Although countries with open and available information may sometimes appear to have greater problems relative to other countries, this may not be the case. In fact, countries that collect information on child labor are in a better position to eliminate the problem than countries in which such information is suppressed, because with better information, they can target their policies and programs at identified problem areas to achieve maximum impact.

Due to an inability to travel to each country covered in the report, ILAB relies on U.S. embassies, internet research, and submissions received in response to the *Federal Register notice to gather primary and secondary sources of information*. *For countries where internet access and technology are limited, there may*

be less information available online. Countries with more closed government processes and less civil society participation also may have less information readily available. When ILAB was unable to find information about report topics, including the content of important laws or enforcement efforts, this was noted in the report.

Most of ILAB's online research was conducted in English; however, we also gathered and read source materials written in Spanish, French, and, to a limited extent, Portuguese, Russian, Bosnian, Serbian, and Arabic. Materials written in other languages were generally not reviewed.

Despite ILAB's best efforts to cover relevant topics as comprehensively as possible, this report cannot address every salient issue that may affect children's involvement in child labor. For example, there are many factors that affect whether a household sends a child to school, to work, or both. A lack of available information, however, limits the discussion of these issues for some countries. In these cases, we note that the profile's information is incomplete. Furthermore, ILAB chose to limit its reporting of education to the issue of access, and generally does not cover the quality of education because research on the relationship between the quality of education and child labor is lacking.

ORGANIZATION AND CONTENT OF COUNTRY PROFILES

ILAB organized country profiles to track the types of efforts outlined in the TDA Conference Committee report. In this report, the Conference Committee indicated that the President should consider certain criteria when determining whether a country has met its obligation under the Generalized System of Preferences (GSP) program to implement its international commitments to eliminate the worst forms of child labor. (46) Each country profile contains an introductory paragraph that provides an assessment of government actions to advance

efforts in eliminating the worst forms of child labor, six sections that describe the problem and different aspects of government efforts to address it, and a set of suggested actions. The following section describes the content in the country profiles.

CONTENT OF COUNTRY PROFILES

Each country profile begins with an overview of 2018 in a single paragraph, beginning with a statement identifying the assessment level assigned to the country for 2018. (See “Framework for Country Assessments” in this appendix for more details on the criteria used to determine a country's assessment.) Following the statement of assessment, the summary includes meaningful efforts taken by a government to implement its commitments to eliminate child labor. The summary also notes where children are engaged in the worst forms of child labor or if no worst forms of child labor exist, where they are engaged in tasks for which there is evidence that such tasks fall into the categories suggested by ILO R. 190 for hazardous work—referred to as “dangerous tasks” in this report. Depending on the situation in the country, the summary also may discuss child labor that does not rise to the level of hazardous work. Finally, the paragraph highlights areas in which key gaps in government efforts remain.

SECTION I: PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

The first section of each country profile attempts to provide, to the extent that information is available, a comprehensive picture of child labor in the country. This section begins with a review of available data on working children and school attendance, followed by a presentation of the most common sectors and activities in which children are engaged. The narrative also provides information about the nature and conditions of the work, specific populations that are particularly vulnerable to child labor, government complicity in the use of forced child

labor, circumstances that make accessing education difficult, and events during the year that destabilized the country.

SECTION II: LEGAL FRAMEWORK FOR CHILD LABOR

The second section of each country profile provides information on whether the country has adequate laws and regulations proscribing the worst forms of child labor. This section describes a country's legal framework with regard to child labor and assesses the adequacy of that legal framework by comparing it, in general, to the standards set forth in ILO C. 182 and ILO C. 138, and to other international instruments, including the Palermo Protocol and the Convention on the Rights of the Child and its Optional Protocols. ILAB considered whether the laws criminally prohibited the categorical worst forms of child labor in ILO C. 182, Articles 3(a)–(c), as suggested by ILO R. 190. In line with the ILO Committee of Experts, ILAB considered any law that could be used to prohibit child labor, including its worst forms. ILAB also considered whether the country had ratified key international instruments related to child labor.

It is important to note that ILAB analyzes a country's legal framework regarding compliance with international standards, regardless of whether a problem exists in a country. This is to ensure that legal frameworks also serve as preventive mechanisms. For example, even in the case of a country that does not have a problem with the use of children in illicit activities, if there are no laws to prohibit the use of children in illicit activities, the report points out a gap when comparing laws on this issue against international standards.

The corresponding table indicates where the legal framework meets international standards and where it does not. For example, the table indicates whether the country's minimum age for work complies with the international standard.

ILAB assessed whether a country's laws prohibit forced labor, human trafficking, and debt bondage. For child trafficking specifically, ILAB reviewed the adequacy of existing legal protections related to international and domestic trafficking for both commercial sexual exploitation and forced labor against the Palermo Protocol's standard for child trafficking, including whether the legal protections prohibit the five possible elements of the human trafficking process—recruiting, harboring, transporting, transferring, and receiving persons.

In all cases in which countries maintain a military force, ILAB assessed whether the country prohibited the compulsory military recruitment of children and whether the minimum age for voluntary military recruitment is at least 16, with certain safeguards to ensure voluntariness. For all countries, ILAB assessed whether the recruitment of children under age 18 by non-state armed groups is prohibited, even if non-state armed groups are not present in the country.

For the issue of commercial sexual exploitation of children, ILAB assessed whether a country's laws criminally prohibit the using, procuring, and offering of children for prostitution; the production of child pornography; and the use of children in pornographic performances. For illicit activities, ILAB assessed whether laws criminally prohibit the using, procuring, and offering of a child in the production and trafficking of drugs.

ILAB assessed whether a country has created a hazardous work list and whether the types of hazardous work prohibited are comprehensive, based on whether there is evidence that children engage in work where, according to ILO R. 190, the work may be hazardous. Because the standards on the minimum age for work in ILO C. 138 provide a foundation for protections against the worst forms of child labor, ILAB used the standards embodied in that convention to assess each country's minimum age for admission to work and the age up to which

education is compulsory. (21) ILO C. 138 establishes that countries should set a minimum age of 15 for work, or age 14 for countries with less-developed economies where the country has specified an age of 14 upon ratification of the convention. For countries that permit children to engage in light work, the profile also indicates whether the country has set a minimum age of 13 for light work, or age 12 for less-developed economies, and whether legislation related to light work determines permitted activities, and the number of hours per week and the conditions under which light work may be conducted.

ILAB assessed whether the age for compulsory education aligns with the minimum age for work, in accordance with ILO C. 138, which states that the minimum age for work should not be less than the age up to which education is compulsory, and that it should be at least age 15, or age 14 for developing countries. However, the opposite situation—in which the minimum age for work is higher than the upper cut-off age for compulsory education—also should be avoided because when children are not required to be in school or permitted to work, they are susceptible to falling into the worst forms of child labor. This section points out when a country's age up to which education is compulsory is below or above the minimum age for employment and suggests that the government rectify this gap. It also notes whether a country has free public education through at least the basic level.

SECTION III: ENFORCEMENT OF LAWS ON CHILD LABOR

The third section of the country profiles addresses the second and third criteria included in the TDA Conference Committee report, concerning whether the country has “adequate laws and regulations for the implementation and enforcement of such measures,” and “established formal institutional mechanisms to investigate and address complaints relating to allegations of the worst forms of child

labor.” (46) This section describes the role of government agencies in enforcing laws relevant to child labor, including its worst forms, and reports on labor law and criminal law enforcement efforts during the reporting period.

In this section, ILAB analyzes whether and to what degree the country defines enforcement agency roles and investigates and addresses complaints related to allegations of child labor. Because ILO C. 182 only discusses enforcement to a limited extent, other international standards and practices also are considered as general evaluation guidelines, including from ILO C. 81 and ILO C. 129 on Labor Inspection and Labor Inspection in Agriculture, respectively. To the extent possible, ILAB assesses whether the country has taken these actions:

- Established labor inspection systems, including a functioning labor inspectorate.
- Provided sufficient funding and resources to enforce child labor laws and regulations.
- Employed a sufficient number of inspectors, according to the ILO's technical advice, to enforce the country's child labor laws and regulations.
- Provided sufficient training for inspectors, including initial training for new employees, training on new laws related to child labor, and refresher courses.
- Developed and implemented an adequate labor inspection strategy that allows for different types of on-site inspections of worksites—such as routine, targeted, complaint-driven, and unannounced—and conducted inspections with sufficient frequency and in all relevant sectors.
- Provided sufficient authority to the labor inspectorate to penalize child labor violations and follow through with sanctions where appropriate.
- Published information on specific inspection results and fines or sanctions imposed for violation of child labor laws and regulations, including the worst forms of child labor.

- Established a complaint mechanism for labor violations.
- Set up a reciprocal referral mechanism between labor authorities and social services.

Although ILAB researched and requested law enforcement information on the topics for this year’s report, the information was not available in all cases. For example, in many cases, ILAB did not have enough information to determine whether the number of inspectors was sufficient in the country. Only in certain situations, where a country’s government acknowledged that it did not have a sufficient number of labor inspectors or ILAB obtained information indicating that the number of labor inspectors was insufficient relative to the size of the country’s workforce, did ILAB issue findings of insufficiency. In the latter situation, and in determining whether a finding should be included, ILAB considered the ILO’s technical advice of a ratio of labor inspectors in relation to workers should approach 1:10,000 in industrial market economies, 1:15,000 in industrializing economies, 1:20,000 in transition economies, and 1:40,000 in less developed countries. (19)

In addition, ILO R. 190 states that countries should criminally prohibit the categorical worst forms of child labor as set forth in ILO C. 182 Articles 3(a)–(c). Therefore, the report also assesses whether criminal law enforcement in the country has taken these actions:

- Established criminal investigation systems.
- Provided sufficient funding and resources to enforce the worst forms of child labor laws and regulations.
- Provided sufficient training for investigators, including initial training for new employees, training on new laws related to child labor, and refresher courses.
- Conducted a sufficient number of investigations related to the worst forms of child labor.

- Published information on specific investigation results and violations, prosecutions, and convictions related to the worst forms of child labor.
- Imposed penalties for violations related to the worst forms of child labor.
- Established a reciprocal referral mechanism between criminal authorities and social services.

SECTION IV: COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The fourth section of the country profiles also addresses the third criterion included in the TDA Conference Committee report—whether the country has established “formal institutional mechanisms to investigate and address complaints relating to allegations of the worst forms of child labor.” (46) This section provides information on key institutions in the country charged with coordinating overall efforts to combat child labor, including its worst forms. Although the TDA Conference Committee report speaks only to whether such mechanisms are in place with regard to investigation and complaints of the worst forms of child labor, ILO C. 182, Article 5, states that “[e]ach Member shall, after consultation with employers’ and workers’ organizations, establish or designate appropriate mechanisms to monitor the implementation of the provisions giving effect to this Convention.” ILAB applied this concept of monitoring to all provisions of the convention, not just those directly related to the enforcement of child labor laws. However, because the term *monitor* is often associated exclusively with enforcement activities, ILAB uses the term *coordinate* to describe this function.

SECTION V: GOVERNMENT POLICIES ON CHILD LABOR

The fifth section of the country profiles provides information on the fourth criterion in the TDA Conference Committee report—whether the country has “a comprehensive policy for the elimination of

the worst forms of child labor.” (46) This section describes a country’s key policies and plans to combat child labor, including its worst forms.

ILAB used the framework provided in ILO R. 190, Article 15(f), which illustrates measures that countries might take to combat the worst forms of child labor, such as “encouraging the development of policies by undertakings to promote the aims of the Convention.” (37) In ILO C. 182 and in comments from the ILO Committee of Experts, the terms *programs and plans of action are often used interchangeably. Indeed, in some cases, it is difficult to distinguish among a policy, a plan, or a program.* (7) For the TDA Conference Committee report, a policy on child labor is defined as a framework that lays out general principles that are intended to guide a government’s actions on child labor. Although policies may call for the passage of new laws and the establishment of new programs, the actual adoption of laws and program implementation are reported in the “Legal Framework for the Worst Forms of Child Labor” or the “Social Programs to Address Child Labor” sections of the profiles.

Specifically, ILAB assessed whether governments have achieved the following activities:

- Established specific child labor policies, any related development policies that explicitly incorporate the issue of child labor, or any related development policies that do not explicitly target child labor but that could have an impact on the problem. (ILAB determined that because so few governments distinguish between worst forms of child labor and child labor, any policy on child labor, whether targeted toward the worst forms of child labor or not, would be reported).
- Ensured that these policies include specific action plans, assign responsibilities, establish goals, and set timetables.
- Implemented established policies and plans.

SECTION VI: SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

The sixth section of each country profile provides information on the fifth criterion in the TDA Conference Committee report—whether social programs exist in the country “to prevent the engagement of children in the worst forms of child labor and assist in the removal of children engaged in the worst forms of child labor.” (46) This section of the country profiles reports on key programs focused on child labor and the worst forms of child labor because countries often do not distinguish between the two when creating child labor programs. This section of the profiles also reports on programs that focus on child labor specifically, and programs that address poverty, education, and other related matters that could have a beneficial impact on child labor. Only programs launched or implemented during the reporting period are included in this section.

ILAB generally considers the implementation of projects through international organizations to be government efforts because the projects can be carried out only with the consent of the government, and such efforts are sometimes considered part of a country’s national budget.

ILAB applied standards embodied in Articles 6 and 7 of ILO C. 182 to assess country programs to combat child labor. ILO R. 190 also is considered to determine the types of efforts that governments might make, such as giving special attention to girls, providing training to employers and workers, and raising awareness. With this in mind, ILAB assesses whether governments have taken the following actions:

- Participated in any social programs to combat child labor, including programs aimed at directly preventing and withdrawing children from participation in child labor.

- Implemented social programs with sufficient resources to combat the scope and magnitude of the child labor problem at issue.
- Targeted at-risk populations.
- Implemented social programs successfully and sustainably.

SECTION VII: SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The last section of the country profiles is a set of suggested actions. These suggested actions serve as a roadmap of efforts that individual countries can follow to more fully address the worst forms of child labor. The year in which a suggested action was first provided is listed in the table, followed by every year in which the action was included in the report and not addressed.

FRAMEWORK FOR COUNTRY ASSESSMENTS

OBJECTIVE FOR COUNTRY ASSESSMENTS

ILAB is using an assessment tool to clearly indicate and highlight the status of efforts by each country which benefits from U.S. trade preferences to eliminate the worst forms of child labor.

RESEARCH QUESTION GUIDING COUNTRY ASSESSMENTS

The research question that ILAB is asking in its assessment of an individual beneficiary country is “To what extent did the beneficiary country advance efforts to eliminate the worst forms of child labor during the reporting period?”

SCOPE OF COUNTRY ASSESSMENT

As discussed, the TDA Conference Committee report outlines the following six criteria that the President is asked to consider in determining whether a country is implementing its international commitments to eliminate the worst forms of child labor:

- Whether the country has adequate laws and regulations proscribing the worst forms of child labor;
- Whether the country has adequate laws and regulations for the implementation and enforcement of such measures;
- Whether the country has established formal institutional mechanisms to investigate and address complaints related to allegations of the worst forms of child labor;
- Whether the country has a comprehensive policy for the elimination of the worst forms of child labor;
- Whether social programs exist in the country to prevent the engagement of children in the worst forms of child labor, and assist in the removal of children engaged in the worst forms of child labor; and
- Whether the country is making continual progress toward eliminating the worst forms of child labor.

The country assessment tool is intended to inform the sixth criterion—whether the country is “making continual progress toward eliminating the worst forms of child labor.” In preparing the assessments, ILAB evaluated the first five criteria, grouping them into the same five areas addressed in the individual country profiles: laws and regulations, enforcement, coordination, policies, and social programs. The assessment is based on an analysis of the status of each country’s efforts in these five areas considered as a whole, and compared to the country’s prior efforts. The assessments do not take into account the impact of government actions on the problem, or whether they have a documented effect on eliminating child labor. This type of analysis would require rigorous impact evaluations and assessments based on data from solid research designs, which is beyond the scope of this report. It is important

to note that the assessment is not intended to reflect a determination of “whether a country has implemented its commitments to eliminate the worst forms of child labor.” That determination is reserved for the President.

METHOD FOR DETERMINING A COUNTRY ASSESSMENT

Each country profile in this report identifies a set of suggested actions for governments to take to advance its efforts to eliminate the worst forms of child labor. The implementation—or lack of implementation—of these suggested actions establishes a baseline or point of reference from which to assess a country’s advancement. These actions, in combination with other efforts undertaken by a country, were considered when assessing the level of a country’s advancement during the current reporting period in comparison with the previous reporting period.

After ILAB identified and assessed a country’s efforts, we considered the significance of the efforts undertaken during the reporting period—actions

that could have an impact on eliminating the worst forms of child labor, and the extent to which these efforts addressed the first five TDA criteria, outlined above, in a limited or meaningful manner during the reporting period. In addition, ILAB reviewed whether the government established or failed to remedy a regressive or significantly detrimental law, policy, or practice that delayed advancement in eliminating child labor. Finally, ILAB also examined whether countries had a policy or demonstrated a practice of being *complicit in forced child labor in more than isolated incidents at the national, regional, or local level*.

To promote consistency and transparency, and to operationalize these first five TDA criteria, each country’s efforts were analyzed according to a uniform set of guidance questions related to the five general areas of laws and regulations, enforcement, coordination, policies, and social programs. Detailed information is given in “TDA Guidance Questions.”

Appendix 9

TDA Guidance Questions

ASSESSMENT LEVEL

TDA CONFERENCE REPORT CRITERION:

- Whether the country is making continual progress toward eliminating the worst forms of child labor

GUIDANCE QUESTIONS

- What efforts did the country make to address child labor during the year?
- Has the government instituted minimally acceptable laws and regulations, mechanisms, and programs to address and prevent child labor?
- Did the government of the country establish or fail to remedy a regressive or significantly detrimental law, policy, or practice that delayed advancement in the elimination of child labor?*
- Was the government of the country complicit in the use of forced child labor in more than isolated incidents?*

PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

GUIDANCE QUESTIONS

- Were government officials complicit in the use of forced child labor in more than isolated incidents?*
- What are the prevalent types of child labor in each country?
- Has the government conducted research on the prevalence and nature of the worst forms of child labor and made the results publicly available?
- Are specific populations vulnerable to child labor due to gender, race, ethnicity, origin, disability, language, or socio-economic status?

- Were there events during the year that destabilized the country, such as armed conflict; health epidemics and natural disasters; or other social, economic, and political crises?

* **Note:** A “yes” response likely means that the country will automatically receive an assessment of *Minimal Advancement* or *No Advancement*.

LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

TDA CONFERENCE REPORT CRITERION:

- Whether the country has adequate laws and regulations proscribing the worst forms of child labor

GUIDANCE QUESTIONS

- Did the laws meet international standards?
- Is the minimum age for admission to employment in line with ILO C. 138?
- Is the minimum age for admission to hazardous work in line with ILO C 138 and C. 182?
- Are criminal prohibitions on forced child labor, child trafficking, commercial sexual exploitation of children, and use of children in illicit activities in line with ILO C. 182?
- Is the prohibition against recruitment of children under age 18 for state compulsory military service in line with ILO C. 182 and the UN CRC Optional Protocol on Armed Conflict?
- Is the minimum age for recruitment into state voluntary military service in line with the UN CRC Optional Protocol on Armed Conflict?
- Is the prohibition against recruitment of children under age 18 by non-state armed groups in line with ILO Convention 182?

- Does the age up to which education is compulsory align with the minimum age for work and meet the standards in ILO C. 138?
- Is the provision of free public basic education in line with ILO C. 182?
- If the law permits light work, is the minimum age in line with ILO C. 138 and are there appropriate safeguards as outlined in ILO Convention 138?
- Has the country ratified ILO C. 182 and C. 138, as well as other relevant conventions and protocols?
- If the country's constitution and laws are not compliant with international standards embodied in ILO C. 138 and C. 182, has there been any change in the constitution or laws that brings the country closer to being fully compliant?
- Are laws related to child labor available to the public?
- Did the country establish or fail to remedy a regressive or significantly detrimental law that delayed its advancement in the elimination of child labor?*

* **Note:** A “yes” response likely means that the country will automatically receive an assessment of *Minimal Advancement* or *No Advancement*.

ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

TDA CONFERENCE REPORT CRITERIA:

- Whether the country has adequate laws and regulations for the implementation and enforcement of such measures
- Whether the country has established formal institutional mechanisms to investigate and address complaints relating to allegations of the worst forms of child labor

In this section of the country profiles, ILAB analyzes whether, or to what degree, a country has defined enforcement agency roles, conducted routine and unannounced inspections, and investigated and addressed complaints related to allegations of the

worst forms of child labor. The analysis is based on the following guidance questions.

GUIDANCE QUESTIONS

- Does the country have a labor inspectorate?
- Does the country have labor inspectors? Are its labor inspectors public servants as opposed to contractors?
- What was the amount of funding for the labor inspectorate? Was there an increase or decrease in the funding and resources to enforce child labor laws and regulations, and were these resources adequate given the incidence of child labor in the country?
- Was there an increase or reduction in the number of labor inspectors to enforce child labor laws and regulations, and was the number of labor inspectors adequate given the size of the country's workforce?
- Did the country offer initial training to new labor inspectors and investigators, including specialized training on child labor; training on new laws related to child labor, including its worst forms; and refresher courses?
- Did the labor inspectorate fail to conduct labor inspections during the reporting period?*
- Does the labor inspectorate lack legal authorization to conduct unannounced inspections?*
- Did the inspectorate conduct unannounced inspections?
- Did the government develop and implement a labor inspection strategy that allowed for different types of on-site inspections of worksites, such as routine, targeted, complaint-driven, or unannounced?
- Were inspections conducted with sufficient frequency and in all relevant sectors?
- Did the government provide the labor inspectorate with sufficient authority to sanction child labor violations?

- Did the country make available information on labor law enforcement efforts related to child labor, including the number of labor inspections conducted at worksites and by desk review, the number of child labor violations found, and the number of child labor violations for which penalties were imposed and collected?
- Does the government have a mechanism for filing and resolving complaints expeditiously regarding child labor?
- Does a reciprocal referral mechanism exist between labor and criminal authorities and social services?
- Did the government investigate, prosecute, convict, and sentence cases of violations of criminal child labor statutes, including public officials who participate in or facilitate the worst forms of child labor?
- Did the government impose penalties for violations related to the worst forms of child labor?
- Did the country make available information on criminal law enforcement efforts related to the worst forms of child labor, including the number of investigations, violations found, prosecutions initiated, convictions obtained, and penalties imposed? Did the government establish or improve a process for information sharing among enforcement authorities?
- Did the government ensure that all children engaged in the worst forms of child labor were protected from inappropriate incarceration, penalties, or physical harm?
- Did the country establish or fail to remedy a regressive or significantly detrimental law enforcement practice that delayed its advancement in the elimination of child labor?*

* **Note:** A “yes” response likely means that the country will automatically receive an assessment of *Minimal Advancement* or *No Advancement*.

COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

TDA CONFERENCE REPORT CRITERION:

- Whether the country has established formal institutional mechanisms to investigate and address complaints relating to allegations of the worst forms of child labor

In this section, ILAB analyzes whether, or to what degree, the country has institutions charged with coordinating overall efforts to combat child labor, including its worst forms. The analysis is based on the following guidance questions.

GUIDANCE QUESTIONS

- Does the government have an agency or committee created to coordinate government efforts to combat the worst forms of child labor? Did it create such an agency or committee during the reporting period?
- Does the agency or committee address all sectors of child labor that are prevalent in the country, or does it address only certain sectors?
- Did such an agency or committee meet regularly and take actions, or did it not meet regularly and take few or no actions?

GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

TDA CONFERENCE REPORT CRITERION:

- Whether the country has a comprehensive policy for the elimination of the worst forms of child labor

GUIDANCE QUESTIONS

- Did the government establish any new policies or plans that specifically address the worst forms of child labor or any one of the worst forms of child labor?

- Did the government incorporate the worst forms of child labor specifically as an issue to be addressed in poverty reduction, development, educational, or other social policies, such as poverty reduction strategy papers?
- Did the government establish poverty reduction, development, educational, or other social policies, such as poverty reduction strategy papers, that did not explicitly address the worst forms of child labor or any one of the worst forms of child labor, but that might have had an impact on it or them?
- If the country established any of the above policies or plans, do they designate responsibilities, establish goals, and set timelines?
- Did the government effectively implement existing policies and plans?
- Did the country establish or fail to remedy a regressive or significantly detrimental policy that delayed its advancement in the elimination of child labor?*

* **Note:** A “yes” response likely means that the country will automatically receive an assessment of *Minimal Advancement* or *No Advancement*.

SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

TDA CONFERENCE REPORT CRITERION:

- Whether social programs exist in the country to prevent the engagement of children in the worst forms of child labor, and assist in the removal of children engaged in the worst forms of child labor

GUIDANCE QUESTIONS

- Did the government fund or participate in any new or ongoing programs that aim to eliminate or prevent the worst forms of child labor?

- Did the government fund or participate in any social protection programs that could reasonably be expected to have an impact on child labor? Were any of the country’s programs shown, through research, to have had an impact on child labor?
- Did the government make efforts to reduce children’s vulnerability to the worst forms of child labor by addressing factors such as
 - country- and region-specific practices that make children vulnerable to the worst forms of child labor, and
 - barriers to education, such as a lack of teachers; lack of schools or inadequate facilities; lack of infrastructure to access schools; lack of transportation; violence, including physical and sexual abuse; birth registration requirements; and the charging of school fees.
- Are the country’s programs sufficient to combat particular forms of child labor, considering the scope and magnitude of those problems?
- Do the programs provide services directly to children?
- Do the programs adequately target at-risk populations?
- Were the programs fully funded?
- Are the programs meeting their goals?
- Are the program efforts sustainable?
- Did existing government programs improve or worsen in quality or effectiveness compared with the previous year?
- Did the country establish or fail to remedy a regressive or significantly detrimental social program or other practice that delayed its advancement in the elimination of child labor?*

* **Note:** A “yes” response likely means that the country will automatically receive an assessment of *Minimal Advancement* or *No Advancement*.

References

1. **ILO.** Global Estimates of Child Labour: Results and Trends, 2012–2016. 2017. https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575499.pdf.
2. —. Resolution to amend the 18th ICLS Resolution concerning statistics of child labour. October 31, 2018. https://www.ilo.org/global/statistics-and-databases/meetings-and-events/international-conference-of-labour-statisticians/20/WCMS_667558/lang--en/index.htm.
3. —. Resolution II: Resolution Concerning Statistics of Child Labour. 18th International Conference of Labour Statisticians. 2008. http://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/normativeinstrument/wcms_112458.pdf.
4. —. Forced Labor Convention, 1930 (No. 29) concerning Forced or Compulsory Labour. Entry into force: May 1, 1932. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312174:NO.
5. **U.S. Department of Labor.** Notice of Procedural Guidelines for the Development and Maintenance of the List of Goods From Countries Produced by Child Labor or Forced Labor. *Federal Register* 72, No. 247. 2007. <https://www.gpo.gov/fdsys/pkg/FR-2007-12-27/pdf/E7-25036.pdf>.
6. **ILO.** 20th International Conference of Labour Statisticians Geneva, October 10–19, 2018 Appendix: Revised draft guidelines concerning the measurement of forced labour. 2018. https://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/meetingdocument/wcms_647379.pdf.
7. —. Worst Forms of Child Labour Convention, 1999 (No. 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. Entry into force: November 19, 2000. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182.
8. —. Guidelines concerning the measurement of forced labour. October 10–19, 2018. https://www.ilo.org/global/statistics-and-databases/meetings-and-events/international-conference-of-labour-statisticians/20/WCMS_648619/lang--en/index.htm.
9. —. Minimum Age Convention, 1973 (No. 138) concerning Minimum Age for Admission to Employment. Entry into force: June 19, 1976. http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:C138.
10. —. Abolition of Forced Labour Convention, 1957 (No. 105) concerning the Abolition of Forced Labour. Entry into force: January 17, 1959. http://ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C105.
11. —. Protocol of 2014 to the Forced Labour Convention, 1930 (P. 29). Entry into force: November 9, 2016. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:Po29.
12. —. Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203). Entry into force: June 11, 2014. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3174688.
13. **UCW.** Understanding Children’s Work Project. Accessed August 5, 2019. <http://www.ucw-project.org/metadata.aspx>.
14. **Guarcello, L. et al.** Adolescents in Hazardous Work: Child labour among children aged 15–17 years. July 2016. http://www.ucw-project.org/attachment/23052017377Hazardous_work_adolescents_in_CL_july2016.pdf.
15. **ILO.** Report of the 18th International Conference of Labour Statisticians, Geneva, November 24 – December 5, 2008. March 2009: GB.304/STM/5. http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_103471.pdf.
16. **Ritualo, A.R. et al.** Measuring Child Labor: Implications for Policy and Program Design. *Comparative Labor Law & Policy Journal* 24, No. 2. Winter 2003. <https://heinonline.org/HOL/Page?handle=hein.journals/cllj24&id=413&collection=journals&index=#>.
17. **ILO.** Every Child Counts: New Global Estimates on Child Labour. April 2002. <http://www.ilo.org/ipeinfo/product/viewProduct.do?productId=742>.
18. **CIA.** The World Factbook. Accessed August 5, 2019. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
19. **UN.** World Economic Situation and Prospects 2017 Statistical Annex. 2017. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
20. **ILO.** Strategies and practice for labour inspection. November 2006. <http://www.ilo.org/public/english/standards/reim/gh/docs/gh297/pdf/esp-3.pdf>.
21. **ILO Committee of Experts.** Committee of Experts on the Application of Conventions and Recommendations: Reports of the Committee of Experts since 1932. Accessed August 5, 2019. <https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/lang--en/index.htm>.
22. **UNESCO.** Glossary. Accessed August 5, 2019. <http://uis.unesco.org/en/glossary>.
23. **UNESCO Institute for Statistics.** Fixing the Broken Promise of Education for All: Findings from the Global Initiative on Out-of-School Children – Executive Summary. 2015. http://uis.unesco.org/sites/default/files/documents/fixing-broken-promise-efa-findings-global-initiative-oosc-exe-sum-education-2015-en_4.pdf.
24. —. International Standard Classification of Education: ISCED 2011. Published: 2012. <http://uis.unesco.org/sites/default/files/documents/international-standard-classification-of-education-isced-2011-en.pdf>.
25. **UNESCO.** The Right to Education: Law and Policy Review Guidelines. 2014. <http://unesdoc.unesco.org/images/0022/002284/228491e.pdf>.
26. **UN.** Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. Entry into force: April 30, 1956. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/SupplementaryConventionAbolitionOfSlavery.aspx>.

27. **U.S. Department of Labor.** By the Sweat & Toil of Children Volume VI: An Economic Consideration of Child Labor. January 1, 2000. http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1147&context=key_workplace.
28. **ILO-IPEC.** Child Labour: A textbook for university students; Appendix 2: Glossary, 287. 2004. <http://ilo.org/ipecinfo/product/viewProduct.do?productId=174>.
29. **ILO.** Ending child labour in domestic work and protecting young workers from abusive working conditions. June 12, 2013. http://www.ilo.org/ipec/Informationresources/WCMS_207656/lang--en/index.htm.
30. —. Domestic Workers Convention, 2011 (No. 189) concerning decent work for domestic workers; Articles 1, 3. Entry into force: September 5, 2013. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_ILO_CODE:C189.
31. **U.S. Department of Labor Bureau of International Labor Affairs.** Projects. Accessed August 5, 2018. <https://www.dol.gov/agencies/ilab/projects>.
32. **UNODC.** United Nations Convention Against Transnational Organized Crime and the Protocols Thereto. 2004. <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCbook-e.pdf>.
33. **UNICEF.** Child Protection Information Sheet: Commercial Sexual Exploitation. May 2006. https://www.unicef.org/publications/index_34146.html.
34. **ECPAT International.** CSEC Terminology. Accessed August 5, 2019. http://www.ecpat.org/wp-content/uploads/2016/04/Child-Friendly-Definitions_ENG.pdf.
35. **UNICEF.** Declaration and Agenda for Action – 1st World Congress against Commercial Sexual Exploitation of Children. August 27–31, 1996: Stockholm, Sweden. http://www.ecpat.org/wp-content/uploads/2016/04/stockholm_declaration_1996.pdf.
36. **United Nations Human Rights Office of the High Commissioner.** Convention on the Rights of the Child. Entry into force: September 2, 1990. <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>.
37. **ILO.** Worst Forms of Child Labour Recommendation, 1999 (No. 190) – Recommendation concerning the prohibition and immediate action for the elimination of the worst forms of child labour. Adoption: June 17, 1999. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R190.
38. —. Giving Globalization a Human Face: General Survey on the fundamental Conventions concerning rights at work in light of the ILO Declaration on Social Justice for a Fair Globalization, 2008. Published: 2012. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_174846.pdf.
39. —. Measuring informality: A statistical manual on the informal sector and informal employment. 2013. http://www.ilo.org/global/publications/ilo-bookstore/order-online/books/WCMS_222979/lang--en/index.htm.
40. —. Women and Men in the Informal Economy: A statistical picture. 2002. <https://www.gdrc.org/informal/women.pdf>.
41. **United Nations Human Rights Office of the High Commissioner.** Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Entry into force: February 12, 2002. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx>.
42. —. Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography. Entry into force: January 18, 2002. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx>.
43. **The World Bank.** What are PRSPs? Accessed August 5, 2019. <http://go.worldbank.org/CSTQBOF730>.
44. **ILO.** How International Labour Standards are created. Accessed August 5, 2019. <https://www.ilo.org/global/standards/introduction-to-international-labour-standards/international-labour-standards-creation/lang--en/index.htm>.
45. **UNICEF.** Signature, ratification and accession: The process of creating binding obligations on governments . May 19, 2014. http://www.unicef.org/crc/index_30207.html.
46. **U.S. Department of Labor.** Child Labor, Forced Labor, and Forced or Indentured Child Labor in the Production of Goods in Foreign Countries and Efforts by Certain Foreign Countries To Eliminate the Worst Forms of Child Labor. *Federal Register*. October 5, 2018. https://www.regulations.gov/document?D=DOL_FRDOC_0001-1269.
47. **Government of the United States of America.** Trade and Development Act of 2000, P.L. 106-200, H.R. 434 (106th). Enacted: November 3, 1999. <https://www.govtrack.us/congress/bills/106/hr434/text/eas>.



© Anmar/UNICEF

Farahedee School for boys and girls was refurbished by UNICEF. Now, 1,500 children attend the school, where they take classes and receive Mine Risk Education sessions. While many of the children are from east Mosul, increasing pressure has been put on the school as an influx of students from west Mosul have arrived and enrolled at the school. Iraq, June 12, 2017.

Country Profiles



NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2018, Afghanistan is receiving an assessment of no advancement. Although Afghanistan made some efforts to eliminate the worst forms of child labor, government officials are complicit in the use of forced commercial sexual exploitation of boys through the practice of bacha bazi. The government opened a juvenile rehabilitation center for children previously engaged in armed conflict and provided services to 34 children. It also opened child protection units in 27 provinces, which helped prevent the recruitment of 364 children into the Afghan National Police. The Child Protection Action Network provided educational and social services to at-risk internally displaced families and removed 50 children from mines where they engaged in child labor and enrolled them in schools. However, despite new initiatives to address child labor, the government was also complicit in the use of forced child labor.



Afghanistan is receiving an assessment of no advancement because government officials, particularly officers of the Afghan Local Police and Afghan National Army, are complicit in the practice of bacha bazi and, unlike in previous years, did not make meaningful efforts to address this crime during the reporting period. Afghan Local Police officers and members of the military continued to recruit children for the purpose of bacha bazi and, in at least one case, police sexually assaulted a boy who sought police assistance to report his exploitation in bacha bazi. The government lacked the political will to enforce laws prohibiting bacha bazi and, despite receiving more than 63 cases of bacha bazi among Afghan military and police, did not initiate any prosecutions or achieve any convictions for bacha bazi. Children in Afghanistan also engage in other worst forms of child labor, including in armed conflict and forced labor in the production of bricks and carpets. Afghanistan's Labor Inspectorate is not authorized to impose penalties for child labor violations, and the government lacks sufficient programs to eliminate the worst forms of child labor.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Afghanistan engage in the worst forms of child labor, including in armed conflict and the forced production of bricks and carpets. (1-5) Table 1 provides key indicators on children's work and education in Afghanistan. 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	7.5 (673,949)
Attending School (%)	5 to 14	41.8
Combining Work and School (%)	7 to 14	4.6
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4, 2010-11. (7)

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	Farming, including harvesting poppies (3,8-12) Herding (9,11-14)

Afghanistan

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Carpet weaving† (3,9,13-17)
	Construction, including gravelling, paving, and painting (9,12,14,18-20)
	Coal, gold, and salt mining† (21-26)
	Brick-making (12,14,16,27)
	Working in metal workshops, including in the production of doors, windows, and water tanks (12,16,18,28,29)
	Working as tinsmiths and welders† (12,14,17)
Services	Domestic work (11,17,30,31)
	Transporting water and goods, including across international borders (9,32)
	Street work, including peddling, vending, shoe shining, carrying goods, and begging (9,12,17,33,34)
	Collecting garbage† (12,17,19,33,35)
	Washing cars (9,12,14)
	Selling goods in stores (12,14,18,28)
	Collecting and selling firewood (9,12,32,36)
	Repairing automobiles (12,19,37)
	Pushing loads on a wheelbarrow (<i>krachiwani</i>) (12,14,38)
	Working as waiters in restaurants (3,12,14)
	Voluntarily recruited children used in hostilities by state armed groups (4,5,39)
Categorical Worst Forms of Child Labor‡	Recruitment of children by non-state armed groups for use in armed conflict (3,4,39-41)
	Use in illicit activities, including in the production and trafficking of drugs, and pickpocketing (3,5,12,29,33,42-44)
	Domestic work as a result of human trafficking (5,30)
	Commercial sexual exploitation, sometimes as a result of human trafficking (5,12,45-48)
	Forced labor in the production of bricks and carpets, in begging, and for use as assistant truck drivers, each sometimes as a result of human trafficking (1-3,5,16,17,29,49,50)

† 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.

Children are subject to commercial sexual exploitation throughout the country. Of significant concern is the practice of *bacha bazi*, or boy play, in which men—including national and local police commanders, military members, tribal leaders, warlords, and mafia heads—force boys to provide social and sexual entertainment. (46,51,52) In many cases, these boys are dressed in female clothing, used as dancers at parties and ceremonies, and sexually exploited. (46) According to the Afghanistan Independent Human Rights Commission, the practice exists in all provinces of the country. (5,53,54) A national inquiry conducted in 2014 found that most boys engaged in *bacha bazi* were between ages 13 and 16, and that 60 percent of them had been subjected to physical violence, confinement, and threats of death. (46) Boys are sold into the practice by their families or are abducted on the streets, including by local police commanders. (47,48,54) Members of the Afghan National Police, the Afghan Local Police, Afghan National Army, and the Afghan Border Police, exploit boys for *bacha bazi*. Boys who work for these government officials as tea servers or cooks in police camps are vulnerable to being exploited for *bacha bazi*. (3-5,46-49,51,53,55-57,39) NGOs reported that Afghan security forces and pro-government militias—some of whom may have received direct financial support from the government—recruited boys specifically for use in *bacha bazi*. (5) Police and education officials acknowledged that some teachers coerce male students to perform commercial sex acts to pass exams. (5)

Afghan children are trafficked both domestically and internationally. Some Afghan traffickers subjected Afghan boys to *bacha bazi* in Germany, Hungary, Macedonia, and Serbia. (5) Afghan boys are used for forced labor in agriculture and construction abroad, and girls are used for commercial sexual exploitation and domestic work in destination countries, primarily Iran and Pakistan. (49) Children were trafficked to settle their family’s debt,

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

including for the production of bricks and illicit drugs. (2,49) Some Afghan girls are subjected to forced marriage in exchange for money for their families. (58) Girls from Iran, Pakistan, and China are trafficked to Afghanistan for commercial sexual exploitation. (58) Some Islamic State fighters kidnapped, raped, and forcibly married Afghan girls. (40) There were widespread reports of child laborers being subjected to sexual violence. (12,14,19,33)

Widespread violence and lack of economic opportunities lead some Afghan children to leave Afghanistan. (59-63) Some children go to Iran specifically to engage in child labor and do not attend school. (64,65) According to the UN, some Afghan refugee children in Iran engage in child labor and do not attend school. (30) The Iranian government and the Islamic Revolutionary Guards Corps continued to coerce Afghan children as young as age 12 to fight in Iranian-led and -funded Shia militias deployed to Syria by threatening them with arrest and deportation to Afghanistan. (5) Boys, especially those traveling unaccompanied, are particularly vulnerable to trafficking. (49,65,66) Some Afghan boys are subjected to sex trafficking in Greece after paying high fees to be smuggled into the country. (5,49,66)

Non-state groups, such as the Islamic State in the Khorasan Province, the Taliban, the Tehrik-i-Taliban, and pro-government militias, recruited children to engage in activities such as planting improvised explosive devices, gathering intelligence, and fighting. (3-5,40,41,67) Armed groups subjected children to sexual violence, as well as *bacha bazi*. (68,69) The Taliban recruited and forced children to attend madrassas in Afghanistan and Pakistan, where they received religious and military training. Some families received cash payments in exchange for sending their children to the Taliban-run schools. (67) The UN verified 38 cases of recruitment and use of children by non-state armed groups, and 5 cases of recruitment by the government in 2018, consisting of 4 cases of recruitment by the Afghan Local Police, and 1 by the Afghan National Police. (4) The Afghan National Army, National Directorate of Security, and Afghan Border Police also recruited and used children in both combat and non-combat roles, although to a lesser extent. Afghan National Army soldiers as young as age 13 were killed, wounded, and captured by Taliban insurgents. (5) Low birth registration and falsified identity documents contribute to the problem because it makes the determination of a recruit's age difficult. (65,70,71) Observers reported that some officials accepted bribes to produce false identity documents that indicated the recipient boys were more than 18 years old. (49)

In 2018, more than 805,000 refugee and undocumented Afghans returned to Afghanistan: 773,000 from Iran and 32,000 from Pakistan. (72) Many of these returnees are unaccompanied minors. (5) Some deportee children are subject to sexual and physical violence or forced labor while in deportation process camps, particularly in Iran. (67,73,74) An indeterminate number of children were also returned from Europe, including those whose asylum application had been rejected. (75,76) Such children are vulnerable to recruitment by armed groups and traffickers. These children have difficulties enrolling in school, for example, due to the lack of necessary identity documents. (3,5,17,76) For example, about half of returnee children from Pakistan do not attend school and are also particularly vulnerable to child labor, including debt bondage in brick factories. (30,50,77-79) Some individuals who facilitate repatriation take returnees to brick factories and keep them in debt bondage to repay their transportation costs. (51) International organizations noted that traffickers specifically targeted these returnees for forced labor upon return to Afghanistan. (5)

During the reporting period, a severe drought in the northern and western part of the country led to the displacement of approximately 266,000 people, including 182,000 in Badghis and 84,000 in Herat. (80,81) Many of these IDPs were food insecure and resorted to child labor or selling daughters for marriage as a way of settling family debt. (3,81-83) Overall, there were more than 343,000 new IDPs during the reporting period. (84) Child labor is particularly prevalent among urban IDPs, and they are vulnerable to recruitment by armed groups. (3,20)

In 2018, UNICEF reported that approximately 3.7 million school-age children are out of school in the country, 60 percent of whom are girls. (85) Barriers to education for children include displacement of populations due to conflict, the use of schools as military bases, attacks on schools, long distances from schools, school-related fees, lack of security, and lack of identity documentation. (20,85-87) Girls face additional barriers to education including discrimination, lack of hygiene facilities, shortage of female teachers, and not being allowed by parents to

Afghanistan

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

go to school. (17,85,87) Schools do not provide sufficient services to children with disabilities. (30) Some nomad, or *kuchi*, children do not attend school because they travel to tend livestock. (30)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Afghanistan 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 Afghanistan's legal framework to adequately protect children from the worst forms of child labor, including debt bondage.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 13 of the Labor Law (88)
Minimum Age for Hazardous Work	Yes	18	Articles 13 and 120 of the Labor Law (88)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Prohibited Jobs for Child Laborers; Article 613 of the Penal Code (89,90)
Prohibition of Forced Labor	No		Article 4 of the Labor Law; Articles 510 and 511 of the Penal Code; Article 3 of the Law to Combat Trafficking in Persons and Smuggling of Migrants; Article 36 of the Law on the Elimination of Violence Against Women (88,90-92)
Prohibition of Child Trafficking	Yes		Articles 510–512 of the Penal Code; Article 3 of the Law to Combat Trafficking in Persons and Smuggling of Migrants (90,91)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 18.2 of the Law on Elimination of Violence Against Women; Articles 650, 652–667, and 874 of the Penal Code; Article 3 of the Law to Combat Trafficking in Persons and Smuggling of Migrants (90-92)
Prohibition of Using Children in Illicit Activities	Yes		List of Prohibited Jobs for Child Laborers; Articles 1, 7, and 23 of the Counter Narcotics Law; Articles 3.1–3.2 of the Law to Combat Trafficking in Persons and Smuggling of Migrants (89,93)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 605–8 of the Penal Code (90)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 510–512 of the Penal Code; Articles 3 of the Law to Combat Trafficking in Persons and Smuggling of Migrants (90,91)
Compulsory Education Age	Yes	15‡	Article 17 of the Education Law; Article 609 of the Penal Code (90,94)
Free Public Education	Yes		Article 17 of the Education Law (94)

* No conscription (95)

‡ Age calculated based on available information (96)

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

A new Penal Code entered into force in February 2018. It explicitly prohibits and sets penalties for the use of male or transgender children for *bacha bazi*. (30,90) However, it does not include criminal penalties for the use of female children in prostitution and, therefore, does not meet the international standard on commercial sexual exploitation of children.

A Law on Protection of Child Rights was adopted and entered into force in 2019. The law reiterates some of the minimum age protections. (97)

Afghan law does not sufficiently criminalize forced labor or debt bondage.

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 authority of the Ministry of Labor and Social Affairs (MoLSA) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Child Protection Action Network (CPAN)	Operates as a coalition of government agencies, NGOs, and community and religious leaders. Receives complaints of child labor; investigates such cases, and refers them to NGO and government shelters that provide social services, coordinate, and provide case management. (3,98) Not all provinces have a CPAN. The capacity of CPANs is not uniform or based on need, and the type of intervention depends on members of a particular CPAN and resources available. (3)
Ministry of Labor and Social Affairs (MoLSA)	Responds to complaints of child labor; child trafficking, and child sexual exploitation; refers cases to the Attorney General's Office and NGO shelters; and operates a shelter for trafficking victims in Kabul. (3)
Ministry of the Interior	Enforces laws related to child trafficking, the use of children in illicit activities, and child sexual exploitation. (3)
National Directorate of Security	Identifies human trafficking victims and refers these cases to the Ministry of the Interior. (3)
Attorney General's Office	Investigates and prosecutes human trafficking, abduction, and sexual exploitation cases. (3)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Afghanistan took actions to combat child labor (Table 6). However, gaps exist within the authority of MoLSA that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (30)	Unknown (3)
Number of Labor Inspectors	8 (30)	21 (3)
Inspectorate Authorized to Assess Penalties	No (30)	No (3)
Initial Training for New Labor Inspectors	No (30)	No (3)
Training on New Laws Related to Child Labor	No (30)	Unknown (3)
Refresher Courses Provided	No (30)	Unknown (3)
Number of Labor Inspections Conducted	Unknown (30)	Unknown (3)
Number Conducted at Worksite	Unknown (30)	Unknown (3)
Number of Child Labor Violations Found	Unknown (30)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (30)	N/A
Number of Child Labor Penalties Imposed that Were Collected	Unknown (30)	N/A
Routine Inspections Conducted	Unknown (30)	Unknown (3)
Routine Inspections Targeted	Unknown (30)	Unknown (3)
Unannounced Inspections Permitted	Unknown (30)	Yes (3)

Afghanistan

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Unannounced Inspections Conducted	Unknown (30)	Yes (3)
Complaint Mechanism Exists	Yes (99)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (30)	No (3)

Labor inspectors do not have legal authority to inspect worksites for compliance with child labor laws or impose penalties for non-compliance. (100,101) However, CPANs, of which MoLSA is a component, can respond to complaints of child labor; investigate cases, and issue warnings or refer criminal cases to the Attorney General's Office. A person wishing to file a complaint must specify the legal statutes for labor violations in writing. (98,99)

In 2018, MoLSA had 27 inspector positions, 21 of which were filled. (3) The number of labor inspectors is likely insufficient for the size of Afghanistan's workforce, which includes more than 7.9 million workers. (102) According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Afghanistan would employ about 200 labor inspectors. (100,103,104) Government officials, NGOs, and UNICEF acknowledge that the number of labor inspectors is insufficient. (100)

Business owners are not required to allow unannounced inspections. (100) Based on available information, MoLSA inspects only public organizations, such as government ministries, that are registered with MoLSA, but not private businesses. (3,30,98) Many forms of child labor occur in the informal sector. (12) Government officials and other stakeholders stated that the government lacked resources, including training, for enforcement of child labor laws. (3)

During the reporting period, CPANs removed 50 children from coal mines in Baghlan and Panjshir provinces and enrolled them in schools. Although CPANs could refer children to social services through MoLSA, and they did so in 2018 on an *ad hoc* basis, there was no formal process for reciprocal referral between law enforcement and social services. (3) CPANs also mapped and monitored IDP families, providing educational, nutritional, and social services to families at risk of child labor. (83)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Afghanistan 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 (30)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (58)	Unknown (3)
Refresher Courses Provided	No (30)	Yes (67)
Number of Investigations	10 (30)	Unknown (3)
Number of Violations Found	Unknown (30)	Unknown (3)
Number of Prosecutions Initiated	Unknown (30)	0 (3)
Number of Convictions	Unknown (30)	0 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	N/A
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (30)	Yes (67)

During the reporting period, the National Directorate for Security investigated 29 cases of human trafficking, the Ministry of the Interior investigated 58 separate cases, and the Attorney General's Office investigated 64 cases. It is unknown how many of these cases may have involved children. (67)

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2018, the government prosecuted no cases related to the worst forms of child labor in 2018. (67) Moreover, the government did not consistently or adequately prosecute officials for *bacha bazi* and acknowledged the pervasive lack of accountability. (5,54,67) However, some government officials contributed to the problem of *bacha bazi* during the reporting period. (3,49,52,57) An international organization reported receiving 63 complaints of *bacha bazi* by Afghan officials since December 2017. (54) Despite this, individuals who subjected boys to *bacha bazi* were not prosecuted. (3,49,52,57) Observers noted that perpetrators of *bacha bazi* often paid bribes to, or had relationships with, law enforcement, prosecutors, or judges who protected them from prosecution. (5) In one case in 2018, police sexually assaulted a boy who reported his own exploitation in *bacha bazi*. (54)

Moreover, victims of human trafficking were routinely prosecuted and convicted of crimes. (67,106) Male victims of child trafficking, especially those engaged in *bacha bazi* or armed conflict, were sometimes referred to juvenile detention or rehabilitation facilities on criminal charges, instead of appropriate victim support services. (5,49,107,108) The government arrested, detained, and prosecuted for terrorism-related crimes some children younger than age 12 who had been forcibly recruited by non-state armed groups. NGOs reported that authorities housed some child trafficking victims in juvenile detention centers, sometimes for several years. (5) Such children are considered criminals even after being transferred to rehabilitation centers. (54) The UN reported that some of these children were subjected to torture and ill treatment. (108,109)

In 2018, the High Commission for Combating Crimes of Abduction and Human Trafficking launched a training manual on countering human trafficking to raise awareness about the difference between human trafficking and human smuggling, techniques for identifying and interviewing victims, and the roles and responsibilities of stakeholders and service providers. (67,105) Although information was unavailable for 2018, government officials had previously stated that they lacked equipment and transportation to carry out investigations. (55) Based on available information, security agencies and the Ministry of Justice did not have a reciprocal referral mechanism to ensure that child victims of human trafficking and other worst forms of child labor receive social services. (3)

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 efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
High Commission for Combating Crimes of Abduction and Human Trafficking	Addresses human trafficking in general, including child trafficking. Led by the Ministry of Justice; comprises nine ministries, such as MoLSA, and five other entities. (30,91) The High Commission met only once in 2018, but its technical committee met 11 times. (5) It published a training manual and conducted training on the manual on countering human trafficking. (67,105) The High Commission also carried out 450 awareness-raising programs, disseminated through TV, radio, and newspapers, reaching approximately 20 million individuals. (67)
Inter-Ministerial Steering Committee on Children and Armed Conflict	Coordinates efforts to eliminate the recruitment and use of child soldiers. Led by the Ministry of Foreign Affairs and monitored by the UN and NGOs. (30) The Committee remained active during the reporting period. (98)

Although there are two sectoral mechanisms to coordinate government efforts to combat trafficking in persons and child soldiering, the government has not established an overarching coordination mechanism to address all child labor present in the country, including forced labor, debt bondage, and commercial sexual exploitation of children.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that may hinder efforts to address child labor, including implementation.

Afghanistan

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 9. Key Policies Related to Child Labor

Policy	Description
National Labor Policy	Includes objectives to eliminate the worst forms of child labor, such as those involving hazardous activities; pass legislation prohibiting child labor; and effectively enforce child labor laws. (110) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Action Plan for the Prevention of Underage Recruitment	Aims to prevent the recruitment of minors into the Afghan National Security Forces, including the Afghan National Army, the Afghan National Police, the National Directory of Security, and pro-government militia groups. Seeks to ensure the release of children under age 18 from the armed forces and facilitate their reintegration into families and communities. (111) In 2018, the government prevented recruitment of children into the Afghan National Police. (4)
National Strategy for Children at Risk	Creates a framework to provide social services to at-risk children and their families, and guides donors in contributing toward a comprehensive child protection system. Focuses specifically on working children, trafficked children, child soldiers, and other children affected by conflict. (113) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Policy for Protection of Children in Armed Conflict	Reiterates the commitment to protect children from recruitment and sexual exploitation in the armed forces, and provides services to children rescued from engagement in armed conflict. Assigns the Ministry of Defense and the Afghan National Police with monitoring that children's rights are safeguarded and coordinating with CPANs and the Afghanistan Independent Human Rights Commission. (114) In 2018, the Ministry of Justice opened a juvenile rehabilitation center in Kabul for children previously engaged in armed conflict. (98,115)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that include the goal of preventing child labor (Table 10). However, gaps exist in these social programs, including inadequate coverage of all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects to address child labor	USDOL-funded projects that aim to build capacity of government law enforcement officials and address child labor in the carpet industry. Includes Project to Prevent Child Labor in Home-Based Carpet Production in Afghanistan, a \$2 million project implemented by GoodWeave; and Country Level Engagement and Assistance to Reduce Child Labor, a capacity-building project implemented by ILO in at least 11 countries to build local and national capacity of the government to address child labor. (116,117) Additional information is available on the USDOL website.
Age Verification of New Afghan National Security Forces Recruits†	Joint government and UNICEF program that operates child protection units in the Afghan National Security Forces recruitment centers. Aims to ensure that new recruits meet the minimum age requirement of age 18 by carefully screening applicants. (118) The process includes an ID check and a requirement that at least two community elders vouch that a recruit is age 18 or older and is eligible to serve. (119) In 2018, the Ministry of the Interior established 5 new child protection units, totaling 27 units for the country. (5) During the reporting period, the child protection units prevented the recruitment of 364 children into the Afghan National Police. (4)
Juvenile Rehabilitation Center*†	Center in Kabul that provides educational, social, psychological support, and vocational training to children who were previously engaged in armed conflict. (41,115) In 2018, the Center was opened as the first of its kind in the country, providing services to 34 children ages 12–17. (115)

* Program was launched during the reporting period.

† Program is funded by the Government of Afghanistan.

There is no evidence of programs designed specifically to prevent and eliminate child labor in all relevant sectors, such as agriculture or forced child labor in the production of bricks. Moreover, the government acknowledged the dearth of shelters and government resources for victims of human trafficking. At times, the government placed child trafficking victims in orphanages, and some orphanages subjected children to human trafficking. (5) Some boys who are victims of human trafficking were arrested, and some were sent to juvenile rehabilitation centers due to the lack of shelters. (51,56)

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 Afghanistan (Table 11).

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that forced labor and debt bondage are criminally prohibited.	2015 – 2018
	Create criminal penalties for the use of any child in prostitution.	2017 – 2018
Enforcement	Establish Child Protection Action Networks in all of Afghanistan's 34 provinces and ensure that they can provide all services needed by victimized children.	2016 – 2018
	Track and publish information on labor inspections, including the labor inspectorate funding, number and type of child labor inspections, and number of violations found.	2015 – 2018
	Authorize the labor inspectorate to assess penalties for violations of Afghan law.	2015 – 2018
	Ensure that labor inspectors and criminal investigators receive training on child labor.	2011 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2011 – 2018
	Simplify the child labor complaint mechanism to allow oral complaints, and eliminate or waive the requirement that the individual filing a complaint must specify the legal grounds for the violation.	2015 – 2018
	Ensure that the labor inspectorate has legal authority to enforce child labor laws, including by legally requiring businesses to comply with unannounced inspections.	2014 – 2018
	Publish data on criminal investigation, including the number of violations for all crimes involving the worst forms of child labor.	2011 – 2018
	Prosecute and convict individuals who use children for engagement in the worst forms of child labor, including <i>bacha bazi</i> and child soldiering.	2018
	Ensure that labor inspectors and criminal investigators are available and receive resources, including equipment and transportation, to enforce criminal child labor laws.	2012 – 2018
	Ensure that child victims of human trafficking and other worst forms of child labor are correctly identified as victims, and referred to appropriate social services, and not detained or subject to mistreatment or torture.	2014 – 2018
	Establish coordinating mechanisms to combat child labor, including its worst forms.	2013 – 2018
Government Policies	Implement the National Labor Policy and the National Strategy for Children at Risk.	2016 – 2018
Social Programs	Institute a birth registration campaign.	2015 – 2018
	Institute programs to increase access to education and to improve security in schools, especially for girls.	2014 – 2018
	Institute programs to address child labor in all relevant sectors, such as agriculture and bonded child labor in brick kilns.	2009 – 2018
	Provide financial support to open shelters for victims of human trafficking and to ensure that sufficient shelter services are available for male child trafficking victims.	2010 – 2018

REFERENCES

- ILO and UNICEF. Breaking the mould: Occupational safety hazards faced by children working in brick kilns in Afghanistan. April 13, 2015. http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_25295/lang--en/index.htm.
- Sabory, Ghafoor. Nangarhar Women and Children Forced into Slavery Over Loans. April 12, 2015. <http://www.tolonews.com/afghanistan/nangarhar-women-and-children-forced-slavery-over-loans>.
- U.S. Embassy- Kabul. Reporting. January 23, 2019.
- UNAMA. Afghanistan: Protection of Civilians in Armed Conflict - Annual Report 2018. February 24, 2019. https://unama.unmissions.org/sites/default/files/afghanistan_protection_of_civilians_annual_report_2018_final_24_feb_2019_1.pdf.
- U.S. Department of State. Trafficking in Persons Report- 2019: Afghanistan. Washington DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/afghanistan/>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4, 2010-11. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Hamim, Abdullah. Poppy Fields Flourish In Govt-Controlled Greshk. Tolo News, July 11, 2017. <http://www.tolonews.com/afghanistan/provincial/poppy-fields-flourish-govt-controlled-greshk>.
- Afghanistan Independent Human Rights Commission. The Situation of Human Rights. 2017. http://www.aihrc.org.af/home/research_report/6509.
- Faramarz, Samim. Helmand Farmers Await Poppy Harvests. Tolo News, February 23, 2017. <https://www.tolonews.com/afghanistan/provincial/helmand-farmers-await-poppy-harvests>.
- Azizi, Abdul Maqsood. Bounded child labour: I am working out of Compulsion. Pajhwok Afghan News, November 25, 2017. <https://www.pajhwok.com/en/2017/11/25/bounded-child-labour-i-am-working-out-compulsion>.
- Afghanistan Independent Human Rights Commission. Causes and Consequences of Hazardous Child Labor in Afghanistan. April 3, 2018. https://www.aihrc.org.af/home/research_report/7199.

Afghanistan

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

- 13 Samuel Hall Consulting. Ties that Bind: Child Labor in the Afghan Carpet Sector. Kabul: GoodWeave International, June 2014. Source on file.
- 14 Afghanistan Public Policy Research Organization. Chronic Conflict, Poverty, and Child Labor: Evidence from Kandahar, Bamyan, Herat, and Balkh. April 2018.
<http://appro.org.af/publication/chronic-conflict-poverty-and-child-labor-evidence-from-kandahar-bamyan-herat-and-balkh/>.
- 15 Samuel Hall Consulting. Cutting the Threads? Assessing Child Labour in the Afghan Carpet Production. Kabul: GoodWeave International, June 2014. Source on file.
- 16 Human Rights Watch. "They Bear All the Pain" Hazardous Child Labor in Afghanistan. July 2016.
https://www.hrw.org/sites/default/files/report_pdf/afghanistan0716_brochure_lowres.pdf.
- 17 Human Rights Watch. "I Won't Be a Doctor, and One Day You'll Be Sick" Girls' Access to Education in Afghanistan. October 17, 2017.
<https://www.hrw.org/report/2017/10/17/i-wont-be-doctor-and-one-day-youll-be-sick/girls-access-education-afghanistan>.
- 18 Zucchini, David. In Afghanistan, childhood is often a full-time job. Los Angeles Times: April 19, 2014.
<http://www.latimes.com/world/la-fg-afghanistan-child-workers-20140420-dto-htmistory.html>.
- 19 Naadem, Bashir Ahmad. Sexual harassment of children on the rise in Kandahar. Pajhwok Afghan News, December 9, 2017.
<https://www.pajhwok.com/en/2017/12/09/sexual-harassment-children-rise-kandahar>.
- 20 Samuel Hall Consulting. Going Home to Displacement: Afghanistan's Returnee IDPs. December 2017.
<http://samuelhall.org/wp-content/uploads/2017/12/20171214-idmc-afghanistan-case-study.pdf>.
- 21 Amini, Karim. Child Labor in Samangan Coal Mines. Tolo News, March 5, 2015.
<http://www.tolonews.com/afghanistan/child-labor-samangan-coal-mines>.
- 22 Azorda, Yaqub. Child Labour in Afghan Coal Mines. Institute for War and Peace Reporting, April 5, 2017.
<https://iwpr.net/global-voices/child-labour-afghan-coal-mines>.
- 23 Salehi, Syed Enam. Children Are Forced to Work in Taqcha Khana Salt Mine. Salam Watandar, December 14, 2017.
<http://salamwatandar.com/english/article.aspx?a=36421>.
- 24 Ashna, Zalmai. Many bonded child laborers work in Takhar salt mine. Pajhwok Afghan News, December 27, 2017.
<https://www.pajhwok.com/en/2017/12/27/many-bonded-child-laborers-work-takhar-salt-mine>.
- 25 Makhdoum Borhan, Afghanistan Independent Human Rights Commission. Fox Group Session on the Negative Consequences of Child Labor. November 13, 2017.
http://www.aihrc.org.af/home/daily_report/6792.
- 26 Faizi, Fereshteh. Gold Mining in Afghanistan Face the Problems of Non-Transparent Contracts and Unauthorized Extraction. Pajhwok Afghan News, February 25, 2014. Source on file.
- 27 Raqib, Susan. How Wars and Disasters Fuel Child Labor. Human Rights Watch, June 12, 2017.
<https://www.hrw.org/news/2017/06/12/how-wars-and-disasters-fuel-child-labor>.
- 28 TOLO News. 6 p.m. News, Kabul (transcript and translation by BBC Monitoring South Asia - Political). September 17, 2016.
<http://www.tolonews.com/nightly-news/tolonews-6pm-news-17-september-2016>.
- 29 ILO. National Child Labor Legislation, Policy and Program Review. November 2017. Source on file.
- 30 U.S. Embassy- Kabul. Reporting. January 20, 2018.
- 31 UNICEF. Child Marriage in Afghanistan: Changing the Narrative. July 29, 2018.
<https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF-MoLSAMD-afg-report-Child-Marriage-in-Afghanistan.pdf>.
- 32 ILO. Child Labour Assessment in Balkh and Samangan Provinces, Afghanistan. December 1, 2015.
http://www.ilo.org/asia/countries/afghanistan/WCMS_496512/lang--en/index.htm.
- 33 Jafar, Barat Ali. Afghan Child Labourers Exposed to Abuse. Institute for War and Peace Reporting, December 4, 2017.
<https://iwpr.net/global-voices/afghan-child-labourers-exposed-abuse>.
- 34 Ahmadi, Zhakfar, and Malali Bashir. Kabul's Vulnerable Street Vendor Girls. Gandhara: March 21, 2017.
https://gandhara.rferl.org/a/afghanistan-underage-girl-vendors/28382414.html?link_id=59&source=email%EF%BF%BDmedia%EF%BF%BDmentions%EF%BF%BDapril%EF%BF%BD11%EF%BF%BD2017.
- 35 UN Human Rights Office of the High Commissioner. End of Mission Statement by the United Nations Special Rapporteur on the human rights of internally displaced persons, Mr. Chaloka Beyani, on his visit to the Islamic Republic of Afghanistan. October 20, 2016.
<http://ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=20712&LangID=E>.
- 36 Rahmanyar, Alam. Children selling firewood in Sheberghan face hard labor. Azadi Radio, January 14, 2017.
<https://da.azadiradio.com/a/28222947.html>.
- 37 Akhgar, Tamim. Afghan Children Celebrate Children Day through Hard Labor. Azadi Radio, June 1, 2016.
<https://da.azadiradio.com/a/27772696.html>.
- 38 Ebrahimi, Mehbrabeddin. When my father got paralyzed, I put away my books. November 30, 2016.
<https://middleeastpress.com/slideshow/دش-جلف-مرد-پ-يت-و-ا-ك-ور-ار>.
- 39 UN General Assembly. Children and Armed Conflict: Report of the Secretary-General. A/73/907-S/2019/509. June 20, 2019.
https://www.un.org/ga/search/view_doc.asp?symbol=S/2019/509&Lang=E&Area=UNDOC.
- 40 Rahmanyar, Alem and Frud Bezhan. Rape, Forced Marriages, And Child Soldiers: Life under Islamic State in Afghanistan. August 12, 2018.
<https://www.rferl.org/a/afghanistan-life-under-islamic-state--rape-forced-marriages-and-child-soldiers/29428703.html>.
- 41 Kumar, Ruchi. Afghanistan is trying to save its child bombers. August 29, 2018.
<https://foreignpolicy.com/2018/08/29/afghanistan-is-trying-to-save-its-child-bombers/>.
- 42 Aziz, Azara. Afghan Children Targeted by Drug Gangs: Minors are seen as the ideal way to smuggle and supply narcotics. Institute for War and Peace Reporting, November 29, 2016.
<https://iwpr.net/global-voices/afghan-children-targeted-drug-gangs>.
- 43 Ariana News. Young Thieves and Large Robberies in the Street of Kabul. May 11, 2017.
<http://avapress.com/vdcaun6049ny01.k5k4.html>.
- 44 Afghan Voice Agency (AVA). Two Million Children are Engaged in Hard Labor in Afghanistan. August 16, 2017.
<http://www.avapress.com/vdcdoj0f9yt0os6.2a2y.html>.
- 45 Chopra, Anuj. Taliban use 'honey trap' boys to kill Afghan police. Agence France-Presse, June 16, 2016.
<https://www.yahoo.com/news/taliban-honey-trap-boys-kill-afghan-police-034032649.html>.
- 46 Afghanistan Independent Human Rights Commission. Causes and Consequences of Bachabazi in Afghanistan. Kabul: October 14, 2014.
http://www.aihrc.org.af/home/research_report/3324.
- 47 Chopra, Anuj. Hopeless Afghan struggle to save boy sex slaves. Agence France-Presse, December 19, 2016.
<https://sg.news.yahoo.com/hopeless-afghan-struggle-save-boy-sex-slaves-062614093.html>.
- 48 Chopra, Anuj. Behind the shame and silence. Agence France-Presse, January 8, 2017.
<https://correspondent.afp.com/behind-shame-and-silence>.

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

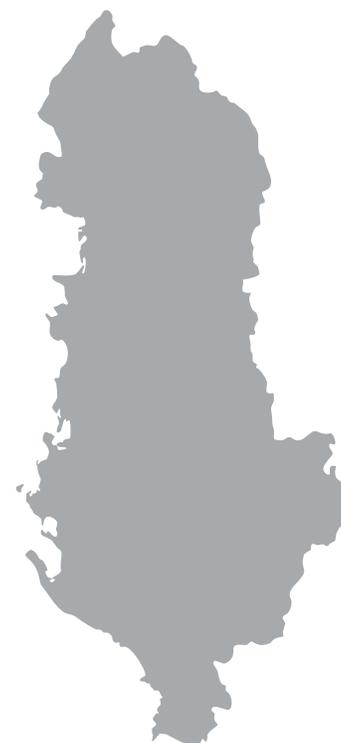
- 49 U.S. Department of State. Trafficking in Persons Report- 2018: Afghanistan. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/afghanistan/>.
- 50 Noori, Zabihullah. Held in bonded labour, Afghan returnee children make bricks for a living. Reuters, November 2, 2016. <http://news.trust.org/item/20161102143257-7ahkn/>.
- 51 U.S. Embassy- Kabul. Reporting. February 28, 2017.
- 52 Babak, Qayum. Boys Sold for Sex in Afghan Province. Institute for War and Peace Reporting, March 2, 2017. <https://iwpr.net/global-voices/boys-sold-sex-afghan-province>.
- 53 Saifullah, Masood. Afghan laws 'ambiguous' about pedophilic boy play subculture. Deutsche Welle, June 20, 2016. <http://www.dw.com/en/afghan-laws-ambiguous-about-pedophilic-boy-play-subculture/a-19343339>.
- 54 U.S. Embassy- Kabul. Reporting. March 18, 2019.
- 55 U.S. Embassy- Kabul. Reporting. January 18, 2017.
- 56 Chopra, Anuj. Stolen boys: Life after sexual slavery in Afghanistan. Agence France-Presse, June 26, 2017. <https://www.yahoo.com/news/stolen-boys-life-sexual-slavery-afghanistan-044706821.html>.
- 57 Ariana News. Engaged in Bacha Bazi, a Man Named Abdulquddus. February 28, 2018. <https://ariananews.co/?p=56513>.
- 58 U.S. Embassy- Kabul. Reporting. February 15, 2018.
- 59 Bengali, Shashank. Afghans, leaving in droves, say they see no future in their country. Los Angeles Times, March 17, 2016. <http://www.latimes.com/world/asia/la-fg-afghan-refugees-20160317-story.html>.
- 60 U.S. Department of State. Country Reports on Human Rights Practices- 2016: Afghanistan. Washington, DC: 2017. <https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/afghanistan/>.
- 61 Malikyar, Helena. Afghanistan: The other refugee crisis. Al Jazeera, September 15, 2015. <http://www.aljazeera.com/indepth/opinion/2015/09/afghanistan-refugee-crisis-150915073827019.html>.
- 62 Froutan, Aziz and Nicole Foster. Children on the move: Young Afghan migrants receive support after hazardous journey home. UNICEF Afghanistan, September 7, 2016. <https://medium.com/@UNICEFAfghanistan/children-on-the-move-fd2d2bafcec5>.
- 63 Bjelica, Jelena. Deciding To Leave Afghanistan (2): The routes and the risks. Afghanistan Analysts Network, May 18, 2016. <https://www.afghanistan-analysts.org/deciding-to-leave-afghanistan-2-the-routes-and-the-risks/>.
- 64 The Voice of Refugees. The Bitter Story of Afghan Migrant Child Laborers. HRANA, November 19, 2017. <https://www.vorefugee.com/?p=2471>.
- 65 UNICEF. Child Protection: Protecting Afghanistan's most vulnerable children. 2018. <https://www.unicef.org/afghanistan/child-protection>.
- 66 Howden, Daniel. Refugees Caught Up in Child Prostitution in Athens. Refugees Deeply, July 14, 2016. <https://www.newsdeeply.com/refugees/articles/2016/07/14/refugees-caught-up-in-child-prostitution-in-athens>.
- 67 U.S. Embassy- Kabul. Reporting. March 17, 2019.
- 68 Ferrie, Jared. Human trafficking on the rise in Afghanistan despite new laws. March 29, 2018. <https://www.reuters.com/article/us-afghanistan-humantrafficking-laws/human-trafficking-on-the-rise-in-afghanistan-despite-new-laws-idUSKBN1H52U8>.
- 69 UN Office of the Special Representative of the Secretary-General for Children and Armed Conflict. International Day against the Use of Child Soldiers - Fact Sheet. February 12, 2019. <https://childrenandarmedconflict.un.org/wp-content/uploads/2019/02/Factsheet-12-February-2019.pdf>.
- 70 Mirzaei, Gulistan. Finding a way to stop child recruitment in Afghanistan. UNICEF, October 7, 2014. http://www.unicef.org/infobycountry/afghanistan_76196.html.
- 71 U.S. Embassy Kabul official. Email communication to USDOL official. June 16, 2017.
- 72 IOM. Return of Undocumented Afghans - Weekly Situation Report (Jan - Dec 2018/1 - 5 Jan 2019). January 5, 2019. <https://reliefweb.int/report/afghanistan/return-undocumented-afghans-weekly-situation-report-1-5-january-2019>.
- 73 Afghanistan Independent Human Rights Commission. The Human Rights Situation of Returnee and Deportee Women and Children. October 7, 2018. https://www.aihrc.org.af/home/research_report/7782.
- 74 Salehi, Nasir. Probe Into Iranian Police Accused Of Mistreating Afghans. December 19, 2018. <https://www.tolonews.com/index.php/afghanistan/probe-iranian-police-accused-mistreating-afghans>.
- 75 European Council on Refugees and Exiles. No Reason for Returns to Afghanistan. February 2019. <https://www.ecre.org/wp-content/uploads/2019/02/Policy-Note-17.pdf>.
- 76 Save the Children. From Europe to Afghanistan. October 16, 2018. http://samuelhall.org/wp-content/uploads/2018/10/SC-From_Europe_to_Afghanistan-screen-1610.pdf.
- 77 The Associated Press. Afghan children returning from Pakistan risk early marriage, child labour. Dawn, December 14, 2016. <http://www.dawn.com/news/1302285/afghan-children-returning-from-pakistan-risk-early-marriage-child-labour>.
- 78 Ul-Haq, Mahfooz. Afghanistan's Modern Day Slave Labourers. Institute for War and Peace Reporting, January 24, 2017. <https://iwpr.net/global-voices/afghanistans-modern-day-slave-labourers>.
- 79 Save the Children. Thousands of Children Face Early Marriage and Child Labour as Education Crisis Takes Hold among Afghan Children Repatriated from Pakistan. December 14, 2016. <https://www.savethechildren.net/article/thousands-children-face-early-marriage-and-child-labour-education-crisis-takes-hold-among>.
- 80 Kermani, Secunder. Afghan drought 'displacing more people than Taliban conflict'. October 17, 2018. <https://www.bbc.com/news/world-asia-45872897>.
- 81 International Federation of Red Cross and Red Crescent Societies. Emergency Plan of Action: Afghanistan - Drought 2018. November 1, 2018. <http://adore.ifrc.org/Download.aspx?FileId=217191>.
- 82 Saber, Shapoor and Frud Bezhan. This Afghan Man Sold His 5-Month-Old Daughter To Survive: 'Did I Have A Choice? You Tell Me.' And He's Not Alone. December 9, 2018. <https://www.rferl.org/a/life-or-death-impooverished-afghan-families-sell-children-to-survive/29645930.html>.
- 83 UNICEF Geneva Palais briefing note on the situation of children in Afghanistan. November 27, 2018. <https://www.unicef.org/afghanistan/press-releases/geneva-palais-briefing-note-situation-children-afghanistan>.
- 84 UNHCR. Afghanistan Operational Fact Sheet - December 2018. December 31, 2018. <https://reliefweb.int/report/afghanistan/unhcr-afghanistan-operational-fact-sheet-december-2018>.
- 85 UNICEF. Half of Afghan children out of school, due to conflict, poverty, discrimination. June 2, 2018. <https://news.un.org/en/node/1011211/feed>.

Afghanistan

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

- 86 Bouckaert, Peter. Schools Under Siege: How Afghan Classrooms Became Bunkers. Foreign Affairs, May 30, 2016. <https://www.foreignaffairs.com/articles/afghanistan/2016-05-30/schools-under-siege>.
- 87 Human Rights Watch. "Education on the Front Lines" Military Use of Schools in Afghanistan's Baghlan Province. August 17, 2016. <https://www.hrw.org/report/2016/08/17/education-front-lines/military-use-schools-afghanistans-baghlan-province>.
- 88 Government of Afghanistan. Labour Law. Enacted: February 4, 2007. http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=AFG&p_classification=01.02&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY.
- 89 Afghanistan Chamber of Commerce and Industries. MOLSAMD Announces List of Prohibited Jobs for Child Labors. February 9, 2014. <http://www.acci.org.af/component/content/article/38-news/467-molsamd-announces-list-of-prohibited-jobs-for-child-labors.html>.
- 90 Government of Afghanistan. Penal Code, Official Gazette No. 1260. Enacted: 2017. http://moj.gov.af/content/files/OfficialGazette/01201/OG_01260.pdf.
- 91 Government of Afghanistan. Law to Combat Trafficking in Persons and Smuggling of Migrants. Enacted: 2016. http://moj.gov.af/content/files/OfficialGazette/01201/OG_01244.pdf.
- 92 Government of Afghanistan. Law on Elimination of Violence Against Women. Enacted: 2009. Source on file.
- 93 Government of Afghanistan. Counter Narcotics Law. Enacted: December 17, 2005. <http://www.refworld.org/docid/4c1f343b2.html>.
- 94 Government of Afghanistan. Education Law. Enacted: July 1, 2008. Source on file.
- 95 Government of Afghanistan. Presidential Decree No. 97. Enacted: December 25, 2003. Source on file.
- 96 U.S. Embassy- Kabul. Reporting. February 8, 2015.
- 97 Government of Afghanistan. Law on Protection of Child Rights. Official Gazette Number 1334. March 11, 2019. http://moj.gov.af/content/files/OfficialGazette/01301/OG_01334.pdf.
- 98 U.S. Embassy Kabul Official Email communication to USDOL official. July 10, 2019.
- 99 U.S. Department of State official. Email communication to USDOL official. February 23, 2016.
- 100 U.S. Embassy- Kabul. Reporting. January 31, 2016.
- 101 U.S. Embassy- Kabul official. Email communication to USDOL official. June 4, 2018.
- 102 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/resources/the-world-factbook/index.html>.
- 103 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy, November 2006: GB.297/ESP/3. Please see "Labor Law enforcement: Sources and Definitions" in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 104 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York: 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 105 Government of Afghanistan, USAID, and IOM. Trafficking in persons and smuggling of migrants, Training manual. January 31, 2018. <https://reliefweb.int/report/afghanistan/trafficking-persons-and-smuggling-migrants-training-manual-afghanistan>.
- 106 U.S. Department of State. Trafficking in Persons Report- 2017: Afghanistan. Washington, DC: June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/afghanistan/>.
- 107 UN. Reporting. 2017.
- 108 UNAMA. Treatment of Conflict Related Detainees in Afghanistan: Preventing Torture and Ill-treatment under the Anti-Torture Law. April 17, 2019. https://unama.unmissions.org/sites/default/files/afghanistan_-_report_on_the_treatment_of_conflict-related_detainees_-_17_april_2019.pdf.
- 109 UN Assistance Mission in Afghanistan. Treatment of Conflict-Related Detainees: Implementation of Afghanistan's National Plan on the Elimination of Torture. April 2017. <http://www.ohchr.org/Documents/Countries/AF/AfghanReportApril2017.pdf>.
- 110 Ministry of Labour & Social Affairs Martyrs and Disabled. National Labor Policy. 2012. Source on file.
- 111 Government of Afghanistan. Action Plan regarding Children associated with National Security Forces in Afghanistan. March 30, 2011. Source on file.
- 112 Ministry of Labor & Social Affairs Martyrs and Disabled. Policy on Child Labor in Carpet Weaving. 2016. <http://polycymof.gov.af/smaf-annex-ii-child-labour-in-carpet-weaving-policy-paper-and-action-plan-molsamd/>.
- 113 Ministry of Labour & Social Affairs Martyrs and Disabled. National Strategy for Children 'at-risk': A better Future for Afghanistan's vulnerable children and their families. November 2004. http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/AF/AFG_Afghanistan_National_Strategy_for_Children_at-risk.pdf.
- 114 Ministry of Defense. Policy for Protection of Children in Armed Conflict. October 2017. Source on file.
- 115 Birtley, Tony. Afghanistan is trying to save its child soldiers. Al Jazeera. October 10, 2018. <https://www.youtube.com/watch?v=y-dRJR87rIo>.
- 116 GoodWeave International. Project to Prevent Child Labor in Home-Based Carpet Production in Afghanistan. Washington, DC, August 1, 2013. Source on file.
- 117 ILO-IPEC. Country Level Engagement and Assistance to Reduce Child Labor (CLEAR). October 2015: Technical Progress Report. Source on file.
- 118 UNICEF. UNICEF Afghanistan Situation Report. July 31, 2013. http://www.unicef.org/appeals/files/UNICEF_Afghanistan_HAC_mid-year_report-July_2013.pdf.
- 119 U.S. Department of State official. Email communication to USDOL official. June 10, 2014.

In 2018, Albania made a moderate advancement in efforts to eliminate the worst forms of child labor. The government enacted the Decision of the Council of Ministers No. 91, which establishes rules and procedures to follow when a child's rights have been violated and strengthens the role of the State Agency for Rights and Protection of Children. Moreover, it adopted the Decision of the Council of Ministers No. 353 to regulate the functioning of the cross-sectorial technical group to adequately address child protection needs. The government also increased the number of child protection units, trained police officers on countering child trafficking, and volunteered to be a Pathfinder Country for Alliance 8.7 in order to expedite the implementation of the Sustainable Development Goals related to eliminating child labor and human trafficking by 2025. However, children in Albania engage in the worst forms of child labor, including in forced begging and mining chromium. Children also perform dangerous tasks in agriculture. Although the government made meaningful efforts in all relevant areas during the reporting period, the law does not explicitly prohibit using, procuring, or offering children for illicit activities. In addition, the labor inspectorate needs to be strengthened so it can inspect all sectors in which child labor is known to occur.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Albania engage in the worst forms of child labor, including in forced begging and mining chromium. Children also perform dangerous tasks in agriculture. (1-4,5) Table I provides key indicators on children's work and education in Albania.

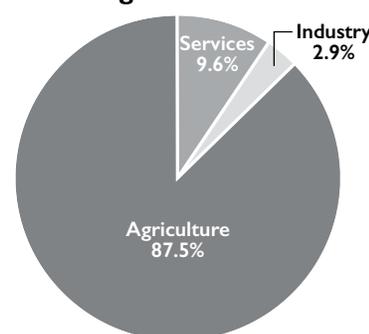
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.6 (23,665)
Attending School (%)	5 to 14	92.5
Combining Work and School (%)	7 to 14	5.2
Primary Completion Rate (%)		106.7

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labor Survey, 2010. (7)

Figure I. Working Children by Sector, Ages 5-14



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	Farming, activities unknown (3,8)
Industry	Mining,† including chromium (3,9-20)
	Construction, activities unknown (1,21)
	Working in the textile, garment, and footwear sectors (3,10,22-26)
	Processing fish (24)
Services	Begging (5,8,10,22-24,27)
	Street work, including vending, washing vehicles, busking, and shining shoes (2,8,10,27,28)
	Collecting recyclable materials on the street and in landfills (5,8,10,24,27)
	Working in wholesale and retail trade (1,22)

Albania

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Working in hotels and restaurants (1,10)
	Working in call centers (10,21)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including burglary, drug trafficking, and harvesting and processing cannabis (3,5,8,10,20,24,27)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3,5,8,10,18,20,24,29)
	Forced begging, sometimes as a result of human trafficking (2,3,5,8,10,20,23,24,28-30)

† 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.

Albania lacks recent, comprehensive data on children engaging in the worst forms of child labor, including in agriculture and construction. (3) Children are trafficked internally in Albania and abroad to neighboring and EU countries for commercial sexual exploitation and forced labor, including forced begging. (2,3,5) Internal child trafficking and forced begging have increased in recent years, particularly during the tourist season. (3,5,31) Street children, especially those from Roma and Balkan Egyptian communities, are particularly vulnerable to becoming victims of human trafficking, in some cases because they lack adult supervision. (3,5,20,31,32)

In addition, children in Albania informally collect chromium around mines where debris from mine tunnels are found, and they sometimes carry heavy rocks for miles. (3,4,9-11,16,17,33) The work is not coerced, and parents are aware that their children collect chromium. (3,10,11,33)

During the reporting period, some children, particularly those located in the city of Shkodër, were unable to access school due to their families’ involvement in blood feuds based on the *Kanun*, a set of traditional Albanian laws. (3,34) Children were confined to their homes due to fear of revenge attacks. (34)

Although Albania allows children without a birth certificate to enroll in public schools, some children from Roma and Balkan Egyptian families and refugees may face obstacles in obtaining birth certificates, which may affect their access to social services and education. (3,35,36) Children not in school are more vulnerable to the worst forms of child labor. Some Roma and Balkan Egyptian children also experienced financial hurdles to accessing education, such as transportation. (3,10,24,36) Discrimination in schools and being physically separated in classrooms are also challenges faced by Roma and Balkan Egyptian students. (24,36)

Some migrant and refugee children from Syria, Algeria, and Libya faced difficulties accessing education due to language barriers. (3) Children with disabilities also experienced hurdles to accessing inclusive education. (3)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Albania 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 Albania's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 98 of the Code of Labor; Article 24 of the Law for the Protection of the Rights of the Child (37,38)
Minimum Age for Hazardous Work	Yes	18	Articles 98–101 of the Code of Labor; Article 24 of the Law for the Protection of the Rights of the Child (37,38)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 99–101 of the Code of Labor; Decree of the Council of Ministers on Defining Hazardous and Hard Works; Article 34 of the Law on Occupational Safety and Health at Work; Regulation on Protection of Children at Work (37,39-41)
Prohibition of Forced Labor	Yes		Article 8 of the Code of Labor; Article 124/b of the Criminal Code (37,42)
Prohibition of Child Trafficking	Yes		Article 128/b of the Criminal Code (42)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 114–115, 117, and 128/b of the Criminal Code; Article 26 of the Law for the Protection of the Rights of the Child (38,42)
Prohibition of Using Children in Illicit Activities	No		Article 129 of the Criminal Code; Articles 24–25 of the Law for the Protection of the Rights of the Child (38,42)
Minimum Age for Voluntary State Military Recruitment	Yes		Article 9 of the Law on Military Service (43)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 9 of the Law on Military Service (43)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 28 of the Law for the Protection of the Rights of the Child (38)
Compulsory Education Age	Yes	16	Article 22 of the Law on Pre-University Education System (44)
Free Public Education	Yes		Article 57 of the Constitution of the Republic of Albania; Article 5 of the Law on Pre-University Education System (44,45)

* No conscription (43)

In 2019, the government approved Law 69/2018, which addresses statelessness, including lack of registration or absence of parents' documentation. The law empowers the courts to solve registration issues, including for Roma and Balkan Egyptian communities, and requires Child Protection Units (CPUs) to initiate registration procedures. (3,46)

During the reporting period, the Decision of the Council of Ministers No. 91 was passed, which sets the rules and procedures for when a child's rights have been violated and aims to strengthen the role of the State Agency for Rights and Protection of Children. (3,47) The government passed the Decisions of the Council of Ministers No. 499 and No. 578 regarding the identification and referral process for victims or potential victims of human trafficking, including exploited children. (3,48,49) In addition, Albania adopted the Decision of the Council of Ministers No. 54 to regulate the functioning of the National Council for the Rights and Protection of the Child and enable the Council to undertake actions in line with the UN CRC. (3,50) Lastly, the Decision of the Council of Ministers No. 353 was adopted to regulate the functioning of a cross-sectoral technical group to adequately address child protection needs. (3,51)

The law in Albania does not explicitly prohibit using, procuring, or offering children under age 18 for illicit activities, including in the production and trafficking of drugs. Article 129 of the Criminal Code only prohibits inducing or encouraging children under age 14 to participate in criminality. (42) In addition, although Albania has a list of activities in which light work may be permitted, it does not limit the number of hours for light work. (37,38)

Albania

MODERATE ADVANCEMENT

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 Finance, Economy, and Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Finance, Economy, and Labor	Enforces laws related to child labor and hazardous work, and monitor the quality of social services provided through the State Labor Inspectorate. (3) Receives, documents, and responds to child labor complaints through the State Social Services Agency. (3) Child Protection Units (CPUs) are the responsible agencies at the local level. (3)
Ministry of Health and Social Care	Develops policies and laws related to child protection. (3)
Ministry of Interior	Enforces all laws, including laws related to the worst forms of child labor through protection officers. (10,22) Coordinates the work of the 12 illicit human trafficking sections in the Regional Police Directorate through the General Directorate of State Police. (3) Establishes the government's policy on combating human trafficking through the State Committee Against Trafficking in Persons, chaired by the Interior Minister. (52)
Office of the Prosecutor General	Investigates and prosecutes child trafficking cases through the Serious Crimes Prosecution Office. (23,53)
Child Protection Units (CPUs)	Identify at-risk children, take case referrals from enforcement agencies, and conduct initial evaluations of each case at the municipal level. Manages cases of at-risk children and refer them to appropriate social services. (23,54,55) Coordinates the assistance of an ad hoc technical group with social services, police, health, education, justice, and NGOs. (3) Every municipality or administrative unit with at least 3,000 children is required to have at least 1 CPU. (10)

The number of CPUs increased from 221 in 2017 to 235 in 2018. (3,19,56,57) However, CPUs lack communication with the State Labor Inspectorate and Social Services (SLISS) and do not possess adequate knowledge of child labor issues. (18-20)

During the reporting period, the government reclassified police positions to focus on specific criminal cases related to minors. (3) However, NGOs alleged that the Ministry of Interior focused more on issues related to judicial and police reform than on child trafficking and migration. (3,32)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Albania took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Finance, Economy, and Labor that may hinder adequate labor law enforcement, including inspection planning and human resource allocation for all relevant sectors in which child labor is known to occur.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$1,427,636 (3)	\$1,804,272 (3)
Number of Labor Inspectors	113 (10)	112 (3,21)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (3)
Initial Training for New Labor Inspectors	No (3)	Yes (3)
Training on New Laws Related to Child Labor	Yes (3)	Yes (3)
Refresher Courses Provided	No (10)	No (3)
Number of Labor Inspections Conducted	74 (3)	94 $\frac{1}{2}$ (3)
Number Conducted at Worksite	74 (10)	94 $\frac{1}{2}$ (3)
Number of Child Labor Violations Found	71 (10)	13 (3,21)
Number of Child Labor Violations for Which Penalties Were Imposed	39 (10)	13 (3,21)
Number of Child Labor Penalties Imposed that Were Collected	0 (10)	0 (3)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Routine Inspections Conducted	Yes (10)	Yes (3)
Routine Inspections Targeted	Unknown (10)	Yes (3)
Unannounced Inspections Permitted	Yes (10)	Yes (3)
Unannounced Inspections Conducted	Yes (10)	Yes (3)
Complaint Mechanism Exists	Yes (10)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (3)

‡ Data are from January 2018 to November 2018.

During the summer tourist season, the inspections focus on child labor in tourist areas. (21,58) The SLISS can inspect all registered private entities but cannot inspect private homes, private farms, or unregistered businesses. (3,21) The SLISS has an inspection plan, but in 2018 it did not include other sectors in which child labor is known to occur, specifically the agricultural sector, wholesale and retail trade, hotel restaurants, and mining. (58,59)

There is no dedicated referral mechanism for child labor unless it relates to child trafficking and protection. (3,60) If a child is trafficked for labor exploitation, the case is referred to the police and state social services by the agency that detected the violation. The case may also be referred to CPUs, which connect the child to social services. (3,49,51)

The government noted that the 2018 budget did not cover all resources needed for labor inspectors, such as vehicles and office space. (3,21,59) According to the SLISS, the number of labor inspectors was insufficient, given that only 5 percent of workplaces were inspected in 2018. Although labor inspectors received training during the reporting period, NGOs and the SLISS commented on the lack of specialized skills and understaffing of SLISS employees. (3,21,31,59,61) In addition, the SLISS lacks clear anti-human trafficking jurisdiction, which may have allowed some businesses to continue using forced labor. (31)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Albania took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including allocating human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (10)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (10)	Yes (3)
Refresher Courses Provided	Yes (10)	Yes (3)
Number of Investigations	20 (10)	17 (3)
Number of Violations Found	19 (10)	41 (3)
Number of Prosecutions Initiated	19 (10)	43 (3)
Number of Convictions	1 (10)	5 (32)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	1 (10)	15 (32)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (3)

During the reporting period, police officers received trainings on child protection and human trafficking, especially in the context of migration flows through the Western Balkans. (3) In addition, 180 police officers were trained to handle cases involving minors, and the European Border and Coast Guard Agency and the IOM held trainings on countering human trafficking. (3)

In 2018, a source reported that the anti-trafficking police had sufficient resources. (31) NGOs, however, noted that due to police turnover, frequent training for police officers is needed to improve identification of child

Albania

MODERATE ADVANCEMENT

trafficking victims and street children, including child beggars trafficked from neighboring countries. (2,31,62)

If a child is trafficked for labor exploitation, the agency identifying the child refers the child to the police and state social services and then to an anti-trafficking shelter. (3,10) Standard operating procedures (SOPs) exist to identify and refer victims of trafficking, including children. In 2018, SOPs were reviewed to align with the new legal framework and institutional changes. (31)

Sources reported that border police did not consistently identify human trafficking victims from Kosovo and failed to identify migrants or other potential victims. (18,20,31) In addition, gaps exist in the screening of minors, including among children traveling to and from neighboring countries. (18,20,31,62)

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 adequate coordination of efforts to address child labor, including coordination among agencies.

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

Coordinating Body	Role & Description
State Agency for Rights and Protection of Children	Oversees implementation of the government's child rights protection policies, including monitoring the National Action Plan for the Identification and Protection of Children in Street Situations. (22,24) Manages cases of at-risk children and refers them to appropriate social services. (23,54,55) Sanctions those who fail to protect children from violence and exploitation. (54) Under the new law on children's rights and protection, coordinates local and central structures on health, security, and education of children. (3)
Office of the National Coordinator for the Fight Against Trafficking in Human Beings (ONAC)	Coordinates all antitrafficking efforts in Albania. Oversees 12 regional anti-human trafficking committees that carry out local action plans in cooperation with civil society partners. (24) Leads data collection and report writing for the National Database for Human Trafficking Victims/Potential Victims. (24) Runs the Closed Case Task Force with the Serious Crimes Prosecution Office and Albanian State Police. (2)
Ad-Hoc Cross-Sectorial Technical Groups (CTGs)	Addresses child protection cases in municipalities with more than 30,000 children. CTGs include representatives from the police, social services, education, health, justice, and NGOs. (3) Council of Ministers Decision 353 defines the roles and responsibilities of CTGs regarding strengthening local-level coordination. (3,51)
National Referral Mechanism	Coordinates the identification, protection, referral, and rehabilitation of trafficking victims between government and civil society organizations. (63) Chaired by the Ministry of the Interior's ONAC vis-à-vis an agreement signed by 13 government agencies. (3,63,64) Met four times in 2018. (31)

The Closed Case Task Force did not meet in 2018 due to government reorganization. (32) Coordination among the SLISS and the Albanian State Police has traditionally been sporadic. (18,65)

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 implementing a new national child labor action plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for Combating Trafficking in Persons (2018–2020)†	Ensures the identification and referral for the protection of child victims and potential victims of human trafficking in accordance with standard operating procedures. (3,66) Increases the use of CPUs, police, and border controls to identify victims, including children in street situations. Raises public awareness of all forms of human trafficking, including forced labor. (3,31,66)

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
The Albanian National Agenda for Children's Rights (2017–2020)	Aims to protect and promote children's rights by supporting physical and psychosocial development, and the social inclusion of children. (67) Objectives include improving children's access to services and enhancing legal and institutional mechanisms for child protection. (10,67) Goals include promoting, respecting, and protecting children's rights through governance; eliminating all forms of violence against children; and creating child-friendly systems and services in education, justice, health, and social protection. (2,10) In early 2019, held a conference on child protection workers (CPWs) with the goal of strengthening coordination among CPW professionals. (32)
The Action Plan for the Social-Economic Reintegration of Women and Girl Victims of Trafficking (2018–2020)	Increases resources available to victims and attempts to reintegrate female trafficking victims by providing education and social services to combat future forced labor and human trafficking. (71) Part of the Strategy for Combating Trafficking in Persons Action Plan. (24) Active in 2018. (32)
National Action Plan for Roma and Balkan Egyptian Community Reintegration (2016–2020)	Aims to provide Roma and Balkan Egyptian children with full access to education, reduce discrimination, enhance social inclusion, and promote intercultural dialogue between different actors in the community. (59,68,73) Active in 2018. (32)

† 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. (3,31,74)

Although the Government of Albania has adopted the National Action Plan for Combatting Trafficking in Persons, research found no evidence of a policy on other worst forms of child labor, including children used in scavenging chromium. During the reporting period, the State Agency for Rights and Protection of Children completed drafting the National Action Plan for the Protection of Children from Economic Exploitation. (3,56) Once passed, the Action Plan will define interactions among responsible institutions on child protection, including children working in mining, in street situations, and in other situations that violate the law. (3,56)

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 problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Program of Cooperation for Sustainable Development (2017–2021)	UN program that aims to increase access to education for vulnerable children and improve protections for child victims of human trafficking. (75,76) Active in 2018. (3)
Human Trafficking Hotline and Shelters	ONAC program supported by USAID, UNODC, World Vision, and the Vodafone Albania Foundation. Through the Human Trafficking Helpline, Report, and Save Mobile App, provides services to victims of crime, improves prevention of human trafficking, and serves as a public awareness tool. (2,63) The National Shelter Coalition† comprises one state-run and three NGO-run shelters. The National Reception Center for Victims of Trafficking, under the supervision of the Directorate General of State Social Services, provides shelter and access to social services for human trafficking victims. (2,77) The Tjeter Vizion NGO shelter provides services for minors. (2,3) Active in 2018. (3)
National Emergency Transition Center†	Government-run center that aims to provide vulnerable families with housing, health care, psychosocial and educational services, legal assistance, and employment placement aid. (3) Accommodates 39 families. Active in 2018. (3)
Child Allowance Program (<i>Ndihma Ekonomike</i>)†	\$46 million government-funded cash transfer program that provides an allowance for families receiving economic aid through the Law on Social Assistance and Services. Active in 2018. (3)

† Program is funded by the Government of Albania.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (31,57)

During the reporting period, police occasionally referred street children or unaccompanied minors to human trafficking shelters and contacted their parents. (32) Some state- and NGO-run services were available for children who were forced to beg; however, research found no evidence that programs were carried out to assist children scavenging chromium. (3,4,10,29,64) In addition, programs did not specifically target all types of

Albania

MODERATE ADVANCEMENT

human trafficking. A lack of financial and human resources and issues of decentralization of social funds from central government to municipalities were also cited as gaps in efficiently carrying out all of the social programs. (3,4,31,59)

In 2018, the Government of Albania volunteered to be a Pathfinder Country for Alliance 8.7 to expedite the implementation of the Sustainable Development Goals related to eliminating child labor and human trafficking by 2025. (3,61) Activities include tracking child labor data, organizing workshops, and developing strategies to eliminate child labor. (3,61)

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 Albania (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that using, procuring, and offering children under age 18 for illicit activities, including in the production and trafficking of drugs, is criminally prohibited.	2015 – 2018
	Ensure that the law's light work provisions limit the number of hours for light work.	2018
Enforcement	Increase coordination and communication between child protection units and the SLISS, and provide child protection units with sufficient training to carry out their work.	2018
	Ensure that the Ministry of Interior focuses on child trafficking and does not dedicate all resources to judicial and police restructuring.	2018
	Ensure that labor inspectors can inspect the informal sector in which child labor is known to occur, and that the labor inspectorate plan is adequate, targeting sectors in which child labor is known to occur.	2010 – 2018
	Strengthen and promote the labor complaint referral mechanism so that the general public can report cases of child labor.	2017 – 2018
	Provide the labor inspectorate with the necessary equipment and training, and increase the number of labor inspectors.	2017 – 2018
	Include enforcement of human trafficking prohibitions in the labor inspectorate's jurisdiction.	2018
	Ensure that both labor inspectors and police investigators receive frequent training to identify children engaged in the worst forms of child labor.	2013 – 2018
	Ensure that the border police officers properly screen minor children, including children from Kosovo and migrants, and properly implement standard operating procedures to identify victims of child trafficking.	2016 – 2018
Coordination	Increase coordination between the SLISS and the Albanian State Police.	2016 – 2018
Government Policies	Ensure that the government implements the National Action Plan for the Protection of Children from Economic Exploitation.	2018
Social Programs	Conduct research to further identify children's activities in agriculture and construction to inform policies and programs.	2013 – 2018
	Set measures to assist children whose families are involved in blood feuds so they can attend school.	2018
	Increase resources, access to civil registration, and social services available to children, including Roma and Balkan Egyptian children engaged in or at risk of engaging in child labor.	2011 – 2018
	Ensure that barriers to education, such as the prohibitive cost of school supplies and discrimination against Roma and Balkan Egyptian children and children with disabilities, are removed.	2013 – 2018
	Provide language teachers for migrant and refugee children and inclusive education for children with disabilities.	2018
	Increase the number of shelters for children who are referred by police officers.	2017 – 2018
	Institute programs to assist children who are victims of human trafficking and those who are used in scavenging chromium.	2014 – 2018
	Ensure that funding and human resources are increased for social programs for child labor and that decentralized social funds to municipalities are appropriately allocated to adequately carry out programs.	2018

REFERENCES

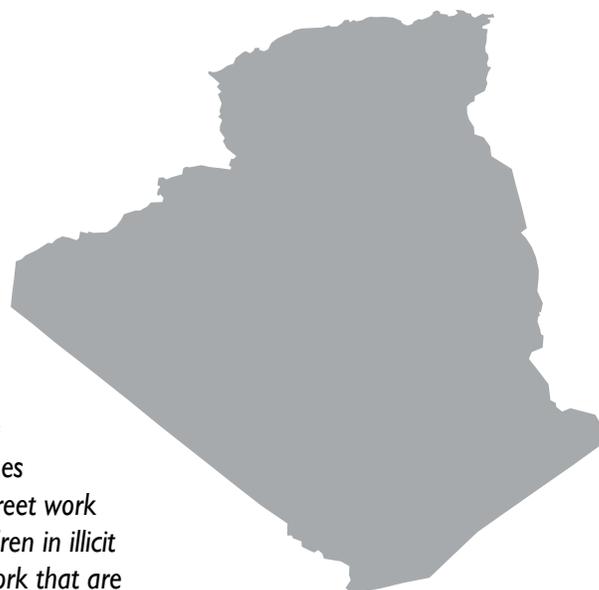
- 1 ILO and Institute of Statistics (INSTAT) of the Republic of Albania. Working Children in the Republic of Albania- The Results of the 2010 National Child Labour Survey. Budapest. July 2012. http://www.ilo.org/ipecc/Informationresources/all-publications/WCMS_202853/lang-en/index.htm.
- 2 U.S. Embassy- Tirana. Reporting. February 16, 2018.
- 3 U.S. Embassy- Tirana. Reporting. February 6, 2019.
- 4 Ombudsman official. Interview with USDOL official. November 15, 2018.
- 5 U.S. Department of State. Trafficking in Persons Report- 2019:Albania. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/albania/>.
- 6 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 7 UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Labour Survey, 2010. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 8 UNICEF. Save The Children, and the Ministry of Social Welfare and Youth. National Study on children in street situation in Albania. April 2014. http://resourcecentre.savethechildren.se/sites/default/files/documents/final_research_report_english.pdf.
- 9 Martinelli, Alice. Children workers who help the family. October 31, 2017. https://www.iene.mediaset.it/video/bambini-lavoratori-che-aiutano-la-famiglia_12669.shtml.
- 10 U.S. Embassy- Tirana. Reporting. January 17, 2018.
- 11 Mayor of Bulqize and Child Protection Unit official. Interview with USDOL official. November 13, 2018.
- 12 Social Organization for the Support of Youth official. E-mail communication to USDOL official. November 23, 2015.
- 13 Wolfe, Debbie. This Report Gives Canadians a Way to Stop Supporting Child Labour. June 10, 2016. http://www.huffingtonpost.ca/debbie-wolfe/child-labour-report_b_10382398.html.
- 14 De Burca, Deirdre. Strengthening Child Protection in the EU and Globally. Accessed October 3, 2016. <https://euobserver.com/opinion/135232>.
- 15 Kronholm, Axel. In Photos: Murder, Misery and Children in Albania's Mining Industry. June 4, 2014. <https://news.vice.com/article/in-photos-murder-misery-and-children-in-albanias-mining-industry>.
- 16 Gazeta Shqip. Poor over chrome. November 16, 2017. <http://gazeta-shqip.com/lajme/2017/11/16/te-varfer-siper-kromit/>.
- 17 World Vision International. Chrome's shine tarnished by child labour in Albania. February 27, 2017. <http://www.wvi.org/it-takes-world/article/chromes-shine-tarnished-child-labour-albania>.
- 18 OSCE Albania official. Interview with USDOL official. November 15, 2018.
- 19 UNICEF official. Interview with USDOL official. November 14, 2018.
- 20 NGO Roundtable on the Worst Forms of Child Labor. Interview with USDOL official. November 15, 2018.
- 21 State Labor Inspectorate and Social Services official. Interview with USDOL official. November 14, 2018.
- 22 U.S. Embassy- Tirana. Reporting. January 22, 2016.
- 23 U.S. Embassy- Tirana. Reporting. January 17, 2014.
- 24 U.S. Embassy- Tirana. Reporting. January 17, 2017.
- 25 Gender Alliance for Development Centre. Shadow Report with a Special Focus to the Applications and Implications of the Article 11 in Shoes and Textile Industry in Albania, Albanian NGO's Shadow Report. UN Committee on the Elimination of Discrimination Against Women, Complementing the Albanian Government Reports CEDAW/C/ALB/4 and CEDAW/ALB/Q/4/Add.1 to the CEDAW Committee. June 2016. [http://tbinternet.ohchr.org/Treaties/CEDAW/Shared Documents/ALB/INT_CEDAW_NGO_ALB_24256_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/ALB/INT_CEDAW_NGO_ALB_24256_E.pdf).
- 26 ARSIS Organization for the Support of Youth official. Interview with USDOL official. March 22, 2018.
- 27 National NGO in Albania official. Interview with USDOL official. March 9, 2018.
- 28 U.S. Department of State. Trafficking in Persons Report- 2017:Albania. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2018-trafficking-in-persons-report/albania/>.
- 29 U.S. Embassy- Tirana. Reporting. February 13, 2017.
- 30 U.S. Embassy- Tirana. Reporting. January 21, 2015.
- 31 U.S. Embassy- Tirana. Reporting. March 1, 2019.
- 32 U.S. Embassy- Tirana official. E-mail communication to USDOL official. May 15, 2019.
- 33 Gazeta Shqip. Children of Bulqiza, sentenced without a childhood. October 22, 2018. <http://gazeta-shqip.com/lajme/2018/10/22/femijet-e-bulqizes-te-denuar-pa-femijeri/>.
- 34 Government of the United Kingdom of Great Britain and Northern Ireland. Country Policy and Information Note, Albania: Blood Feuds. October 2018. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752687/Albania_-_Blood_Feuds_-_CPIN_-_v3.0__October_2018_.pdf.
- 35 Government of Albania. Written Communication. Submitted in response to USDOL Federal Register Notice (September 30, 2016) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." Tirana. December 19, 2016.
- 36 U.S. Department of State. Country Reports on Human Rights Practices- 2018:Albania. Washington, DC. March 13, 2019. <https://www.state.gov/wp-content/uploads/2019/03/ALBANIA-2018.pdf>.
- 37 Government of Albania. Labor Code of the Republic of Albania, 796 I. Enacted: 1995. <https://orjogroup.files.wordpress.com/2016/02/kodi-i-punc3abs-2016.pdf>.
- 38 Government of Albania. Law on the Rights and Protection of the Child, No. 18/2017. Enacted: February 23, 2017. <https://www.parlament.al/wp-content/uploads/2016/09/ligj-nr-182c-dt-23.2.2017.pdf>.
- 39 Government of Albania. Decree of the Council of Ministers on Defining Hazardous and Hard Works, No. 207. Enacted: May 9, 2002. http://www.ikub.al/LIGJE_CATEGORY/205090008/Article_Perpercaktimin-e-puneve-te-veshtira-ose-te-rrezikshme-.aspx.
- 40 Government of Albania. Law on Occupational Safety and Health at Work, No. 10 237. Enacted: February 18, 2010. Source on file.
- 41 Government of Albania. Regulation on Protection of Children in Work. Enacted: February 15, 2017. [http://qbz.gov.al/botime/Akteindividuale/Janar 2017/Fletore 33/VKM nr. 108, date 15.2.2017.pdf](http://qbz.gov.al/botime/Akteindividuale/Janar%202017/Fletore%2033/VKM%20nr%20108,%20date%2015.2.2017.pdf).
- 42 Government of Albania. Criminal Code of the Republic of Albania, 7895. Enacted: January 27, 1995. <http://www.legislationline.org/documents/section/criminal-codes/country/47>.

MODERATE ADVANCEMENT

- 43 Government of Albania. Law on Military Service, No. 9047. Enacted: 2003.
<http://www.mod.gov.al/index.php/ministria/baza-ligjore/sherbimi-ushtarak>.
- 44 Government of Albania. Law on Pre-University Education System in the Republic of Albania, No. 69. Enacted: 2012.
[http://www.crca.al/sites/default/files/publications/Law on pre-university education system in the republic of Albania \(2012\).pdf](http://www.crca.al/sites/default/files/publications/Law%20on%20pre-university%20education%20system%20in%20the%20republic%20of%20Albania%20(2012).pdf).
- 45 Government of Albania. Constitution of the Republic of Albania. Enacted: November 22, 1998.
<http://www.osce.org/albania/41888?download=true>.
- 46 Government of Albania. Law No. 69/2018. October 19, 2018.
[http://www.qbz.gov.al/Botime/Akteindividuale/Janar 2018/Fletore 152/ LI GJ nr. 69-2018, date 11.10.2018.pdf](http://www.qbz.gov.al/Botime/Akteindividuale/Janar%202018/Fletore%20152/LIGJ%20nr.%2069-2018,%20date%2011.10.2018.pdf).
- 47 Decision of the Council of Ministers. No. 91, On Procedures for Performing Controls and Decisions on Sanctions by the State Agency for the Rights and Protection of the Child. Tirana. February 2, 2018.
<http://femijet.gov.al/wp-content/uploads/2018/08/VKM-Nr-91-dt-14.02.2018.pdf>.
- 48 Government of Albania. Law No. 499 On Approval of Standard Action Protection Procedures August 29, 2018.
[http://www.qbz.gov.al/Botime/Akteindividuale/Janar 2018/Fletore 127/ VKM nr. 499, date 29.8.2018.pdf](http://www.qbz.gov.al/Botime/Akteindividuale/Janar%202018/Fletore%20127/VKM%20nr.%20499,%20date%2029.8.2018.pdf).
- 49 Government of Albania. Law No. 578 For Case Management Procedures, Drawing and Content of the Individual Protection Plan, Financing Expenditures for Implementing It, and Implementing Measures. October 3, 2018.
[http://www.qbz.gov.al/Botime/Akteindividuale/Janar 2018/Fletore 144/ VKM nr. 578, date 3.10.2018.pdf](http://www.qbz.gov.al/Botime/Akteindividuale/Janar%202018/Fletore%20144/VKM%20nr.%20578,%20date%203.10.2018.pdf).
- 50 Government of Albania. No. 54, On Approval of the National Council Functioning Regulation. January 31, 2018.
<http://femijet.gov.al/wp-content/uploads/2018/08/VKM-nr.-54-date-31.1.2018.pdf>.
- 51 Government of Albania. On Rules of Functioning of the Technical, Subsequential Group on the Protection of Children, by Municipalities and Administrative Units. June 12, 2018.
<http://femijet.gov.al/wp-content/uploads/2018/08/VKM-nr.-353-date-12.6.2018.pdf>.
- 52 U.S. Embassy- Tirana official. E-mail communication to USDOL official. March 10, 2017.
- 53 U.S. Embassy- Tirana. Reporting. February 14, 2014.
- 54 Government of Albania. Instruction No. 10 on Cooperation and Intervention Procedures for Assisting Vulnerable Children for Institutions and Structures in Charge of Child Protection. February 25, 2015.
http://www.qbz.gov.al/botime/fletore_zyrtare/2015/PDF-2015/33-2015.pdf.
- 55 U.S. Embassy- Tirana official. E-mail communication to USDOL official. June 3, 2014.
- 56 Agency for Child Protection official. Interview with USDOL official. November 14, 2018.
- 57 UNICEF. Evaluation Report of the “Breaking the Cycle of exclusion for Roma Children through Early Childhood Development and Education” multi-country project in the Former Yugoslav Republic of Macedonia, Serbia and Albania. April 2017.
[https://www.unicef.org/evaldatabase/files/Evaluation_Report_-_ Breaking_the_cycle_of_exclusion_for_Roma_children_through_ECD_and_Education_Albania_2017-001.pdf](https://www.unicef.org/evaldatabase/files/Evaluation_Report_-_Breaking_the_cycle_of_exclusion_for_Roma_children_through_ECD_and_Education_Albania_2017-001.pdf).
- 58 State Labor and Social Services Agency. Statistical Analysis Indicators Inspection. September 2018.
<http://inspektoriati.punes.gov.al/wp-content/uploads/2018/10/Analize-treguesish-8-mujor-2018-ISHPSHSH-031018.pdf>.
- 59 ILO. Application of International Labour Standards 2019. 2019.
https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_670146.pdf.
- 60 Government of Albania. Presentation of the “Matrix of Penalties” as a Transparency Platform of Decision – Making. State Labor Inspectorate and Social Services. January 14, 2019.
<http://inspektoriati.punes.gov.al/presentation-of-the-matrix-of-penalties-as-a-transparency-platform-of-decision-making/>.
- 61 ILO Albania official. Interview with USDOL official. November 15, 2018.
- 62 U.S. Embassy- Tirana official. E-mail communication to USDOL official. February 16, 2018.
- 63 U.S. Embassy- Tirana. Reporting. February 17, 2015.
- 64 U.S. Embassy- Tirana official. E-mail communication to USDOL official. May 31, 2017.
- 65 Prosecutor’s Office official. Interview with USDOL official. November 14, 2018.
- 66 Government of Albania. Law No. 770, On the Approval of the National Action Plan Against Trafficking in Persons. December 26, 2018.
[http://www.qbz.gov.al/Botime/Akteindividuale/Janar 2018/Fletore 191/ VKM nr. 770, date 26.12.2018.pdf](http://www.qbz.gov.al/Botime/Akteindividuale/Janar%202018/Fletore%20191/VKM%20nr.%20770,%20date%2026.12.2018.pdf).
- 67 Government of Albania. Ministry of the Social Welfare and Youth. National Agenda for Children’s Rights 2017-2020. April 26, 2017.
https://childhub.org/sq/system/tcdf/library/attachments/agjenda-kombetare-per-te-drejtat-e-femijeve_0.pdf?file=1&type=node&id=27393.
- 68 Group of Experts on Action Against Trafficking in Human Beings. Report Concerning the Implementation of the Council of Europe Convention on Action Against Trafficking in Human Beings by Albania. Second Evaluation Round. Strasbourg Cedex: Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings, June 3, 2016.
<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168065bf87>.
- 69 Government of Albania. Report on the Worst Forms of Child Labour. Submitted in response to USDOL Federal Register Notice (November 26, 2012) “Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor.” Tirana. January 27, 2015.
- 70 Government of Albania. Highlights of the Strategy and Action Plan 2014-2017. Submitted by National Coordinator Elona Gjebrea. Accessed March 24, 2015.
[http://www.punetebrendshme.gov.al/files/news_files/Strategjia_-_ Prezantuar nga Koordinatori Kombetar Elona Gjebrea.pdf](http://www.punetebrendshme.gov.al/files/news_files/Strategjia_-_Prezantuar nga Koordinatori Kombetar Elona Gjebrea.pdf).
- 71 Government of Albania. National Action Plan for the Socio-Economic Re-Integration of Women and Girl Victims of Trafficking in the Republic of Albania. Project Document. Tirana. February 2016. Source on file.
- 72 Government of Albania. Future of an Integrated Child Protection System in Albania. Albania: Council of Europe, June 2016.
<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680681ebb>.
- 73 Government of Albania. Ministry of Social Welfare and Youth. National Action Plan for Integration of Roma and Balkan Egyptians in the Republic of Albania 2016-2020. Project Document. Tirana. December 23, 2015.
<http://www.al.undp.org/content/albania/en/home/library/poverty/national-action-plan-for-integration-of-roma-and-egyptians-in-th.html>.
- 74 Government of Albania. Law No. 541, On the Approval of the Justice Strategy for Youth Action Plan. September 19, 2018.
https://drejtesia.gov.al/wp-content/uploads/2018/10/Strategjia-e-Drejtesise-per-te-Mitur-PV_2018-2021_miratur_VKM_nr.541_dt.19.9.2018.pdf.
- 75 UNESCO. Delivering as One in Albania, UNESCO Office in Venice. Accessed January 21, 2014.
<http://www.unesco.org/new/en/venice/delivering-as-one/>.

- 76 UN Albania and Government of Albania. Programme of Cooperation for Sustainable Development 2017-2021. 2017.
http://www.al.undp.org/content/albania/en/home/library/democratic_governance/programme-of-cooperation-for-sustainable-development-2017-2021.html.
- 77 Government of Albania. Report submitted by the Albanian authorities on measures taken to comply with Committee of the Parties Recommendation on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings. Strasbourg: Council of Europe, January 29, 2014.
<https://rm.coe.int/1680630bfd>.
- 78 Government of Albania. National Action Plan on Identification and Protection of Children in Street Situations (2015-2017). Project Document. November 2016.
<http://femijet.gov.al/wp-content/uploads/2016/12/National-Action-Plan-On-identification-and-protection-of-children-in-street-situation-2015-2017-Annual-report-july-2015-june-2016.pdf>.

In 2018, Algeria made a moderate advancement in efforts to eliminate the worst forms of child labor. In addition to conducting routine labor inspections, the government conducted a dedicated period of inspections focused solely on child labor, and achieved 98 convictions. The National Committee for the Prevention of and Fight Against Trafficking in Persons held six public events to raise awareness on human trafficking and training sessions for law enforcement and judicial personnel. The government also altered policy regarding labor law enforcement, allowing labor inspectors to assess penalties on those who violated labor laws. However, children in Algeria engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging, each sometimes as a result of human trafficking. Children also perform dangerous street work tasks. The government has not sufficiently prohibited the use of children in illicit activities or determined by national law or regulation the types of work that are hazardous for children to perform. Furthermore, the government's number of labor inspectors is not in accordance with the ILO's technical advice to ensure that child labor laws are enforced in all geographic areas.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Algeria engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging, each sometimes as a result of human trafficking. Children also perform dangerous street work tasks. (1-3) Table 1 provides key indicators on children's work and education in Algeria.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	6.7 (413,729)
Attending School (%)	5 to 14	92.3
Combining Work and School (%)	7 to 14	7.2
Primary Completion Rate (%)		105.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4, 2012–2013. (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	Farming, including harvesting olives (1,6-10)
Industry	Construction, activities unknown (2,6,7,9,11)
Services	Street work, including vending, collecting plastics, and begging (2,3,6,7,10,12-16)
	Domestic work (1,2,11)
	Working in small workshops and businesses, including mechanics' shops (6,8,10,11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,7,15)
	Use in illicit activities, including drug trafficking (9)
	Forced begging, sometimes as a result of human trafficking (11-13,15)
	Forced domestic work, including drawing water from wells, sometimes as a result of human trafficking (15)

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

Algeria

MODERATE ADVANCEMENT

Evidence suggests that children, primarily unaccompanied sub-Saharan migrants, are subjected to commercial sexual exploitation and forced domestic work, including sexual abuse at the hands of smugglers and traffickers, confiscation of passports, and withheld pay. (2,10,17-19) The government reported that child labor was most prevalent in the provinces of Algiers, Batna, Constantine, and Oran, and was often part-time and informal in nature, with some migrant children working in small-scale family-run businesses, such as restaurants or small stores. (10,11,20) Research could not find a current and comprehensive study on the activities and scope of the child labor situation in Algeria.

The Algerian public education system is free and open to all children, regardless of ethnicity and nationality. Non-Algerian children must provide documentation of grade level or sit for testing to determine their level. (10,11,21) There are no laws or regulations that prevent access to school, although there are reports of isolated cases of migrant children without valid documentation being denied enrollment and reported to authorities. (10) Many children with disabilities do not have the opportunity to access mainstream education because of social stigma, the relatively low number of teachers with specialized training, the lack of a transportation system for children with disabilities, and the limited accessibility of school buildings. In addition, an estimated 300,000 children remain outside formal schooling and 500,000 high school-age children are at risk of dropping out due to pressures stemming from barriers to education. (10,21) Barriers to education, including those placed on migrant children and children with disabilities, result in absence from school and increased vulnerability to child labor. (10,19,20)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Algeria 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 Algeria's legal framework to adequately protect children from the worst forms of child labor, including the lack of a prohibition against using children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 15 of the Labor Code; Article 7 of Executive Decree No. 96-98 on the List and Content of Special Books and Registers Mandatory for Employers (22,23)
Minimum Age for Hazardous Work	Yes	18	Article 15 of the Labor Code; Article 7 of Executive Decree No. 96-98 on the List and Content of Special Books and Registers Mandatory for Employers (22)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 303 bis 4 of the Penal Code (24)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Child Trafficking	Yes		Articles 303 bis 4 and 319 of the Penal Code (24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 319, 333 bis 1, 343, and 344 of the Penal Code (24)
Prohibition of Using Children in Illicit Activities	No		Article 195 bis of the Penal Code (24)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 14 of Presidential Decree No. 08-134 on the National People's Army (25)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 3 of Law No. 14-06 on National Service (26)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 12 of Law No. 08-04 on National Education (27)
Free Public Education	Yes		Article 13 of Law No. 08-04 on National Education (27)

The Labor Code prohibits anyone under age 19 from working at night and anyone under age 18 from performing work that is harmful to their health, safety, or morals. Algeria has not determined by national law or regulation the types of work that are hazardous for children; however, the government commission tasked with proposing a list of hazardous professions continues to work on this issue. (2,3,10,22,28,29) Algerian law does not provide increased penalties for or categorize as a separate crime the involvement of children in either the production or trafficking of drugs. (24)

Despite a drafted bill, research was unable to determine further efforts related to the revision of the Labor Code. (10)

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 authority of the Ministry of Labor, Employment, and Social Security 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, Employment, and Social Security (MTESS)	Enforces labor laws, including laws related to child labor, through its General Labor Inspectorate; distributes written notices and issues tickets in response to violations; and refers violations to the Ministry of Justice. (6,21) Supervises the application of laws and regulations related to labor relations, working conditions, and worker safety. (9) Shares child labor reports with the Ministry of National Solidarity to ensure follow up with social services. (9,12)
Ministry of the Interior and Local Assemblies	Enforce criminal laws related to child trafficking through the Directorate General for National Security, which comprises 8 active brigades of 77 specialized police officers, focused on illegal immigration and human trafficking, and 50 brigades of 300 police officers, specializing in the protection of children. (9,15,20,30)
Ministry of National Defense	Enforces criminal laws pertaining to child labor, including child trafficking, in rural and border regions through the National Gendarmerie. (14) Works with the Directorate General for National Security and NGO Algerian Network for the Defense of Children's Rights to administer hotlines for the reporting of child abuse. (12,30-32)
Ministry of Justice	Prosecutes child exploitation cases, including those related to non-compliance with labor laws, through its Office of Criminal Affairs and Amnesty Procedures, which is the lead enforcement agency for human trafficking issues. (31)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Algeria took actions to combat child labor (Table 6). However,

Algeria

MODERATE ADVANCEMENT

gaps exist within the authority of the Ministry of Labor, Employment, and Social Security that may hinder adequate labor law enforcement, including the insufficient number of labor inspectors relative to the size of Algeria's workforce.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$17,600,000 (11)	\$15,900,000 (10)
Number of Labor Inspectors	645 (11)	645 (10)
Inspectorate Authorized to Assess Penalties	No (11)	Yes (33)
Initial Training for New Labor Inspectors	Yes (11)	Yes (10)
Training on New Laws Related to Child Labor	N/A (11)	N/A (10)
Refresher Courses Provided	Yes (11)	Yes (10)
Number of Labor Inspections Conducted	11,419 (11)	254,453 (10)
Number Conducted at Worksite	11,419 (11)	176,254 (10)
Number of Child Labor Violations Found	141 (11)	4 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (11)	4 (10)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (11)	Unknown (10)
Routine Inspections Conducted	Yes (11)	Yes (10)
Routine Inspections Targeted	Yes (11)	Yes (33)
Unannounced Inspections Permitted	Yes (11)	Yes (10)
Unannounced Inspections Conducted	Yes (11)	Yes (10)
Complaint Mechanism Exists	Yes (11)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (10)

The number of labor inspectors is likely insufficient for the size of Algeria's workforce, which includes more than 11.8 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Algeria would employ roughly 788 inspectors, notably in all geographic areas of the country, both urban and rural. (10,34,35) Algeria currently employs 645 inspectors. Labor inspections in Algeria focus mainly on the formal economy; visits to the informal sector generally involve work to formalize an enterprise. (10,36)

In March 2018, during a dedicated period of inspections focused on child labor, the Government of Algeria identified four children working below the minimum age and subsequently removed those children from work and placed them in vocational training. In 2018, the ILO, in conjunction with the Government of Algeria, conducted a workshop for approximately 30 labor inspectors to help them understand and measure the informal economy. (10) The government reported conducting 254,453 total labor inspections in 2018, in contrast with last year's figure of 11,419, which referenced only child labor inspections as opposed to total inspections. (10,33,36)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Algeria 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 the lack of published information on the number of criminal investigations and violations found related to child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (11)	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (11)	N/A (10)
Refresher Courses Provided	Yes (11)	Yes (10)
Number of Investigations	Unknown (11)	Unknown (10)

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

Overview of Criminal Law Enforcement	2017	2018
Number of Violations Found	Unknown (11)	Unknown (10)
Number of Prosecutions Initiated	79 (11)	108 (10)
Number of Convictions	58 (11)	98 (10)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (36)	Unknown (36)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (10)

In 2018, the government convicted 98 persons of crimes related to the worst forms of child labor, 20 of whom were sentenced to prison terms, 54 of whom received fines, and 24 of whom received suspended sentences. (10) During the reporting period, the National Gendarmerie held one course on child trafficking, seven seminars on victim identification and the protection of children, and one national day of study for officers on victim identification and protection. (19) The government has an ad hoc practice in place for law enforcement personnel to refer potential victims of human trafficking to the prosecutor, who notifies social services, as needed. (9,11,15,30)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
National Authority for the Protection and Promotion of Children (ONPPE)	Protects and promotes children's rights and provides advocacy for children in danger of economic exploitation. Acts as a liaison between the Ministry of Justice and members of the public alleging violations of children's rights. Oversees efforts of the National Commission for the Prevention of and Fight Against Child Labor. (2,9,10,30,37,38) Runs a national hotline and website to field questions and complaints about the mistreatment of children, with an average of more than 2,000 calls daily; however, since April 2018, only 712 calls were related to actual infringements of child rights. (10,39) In 2018, ONPPE conducted training sessions for judges on the protection of childhood and the involvement of children in judicial proceedings; workshops for governmental ministries; and training for members of the Algerian media on the protection and promotion of the rights of children. (10)
National Committee for the Prevention of and Fight Against Trafficking in Persons	Monitors implementation of the National Action Plan for the Prevention of and Fight Against Trafficking in Persons. Comprises representatives from the President's Office; the Prime Minister's Office; 12 ministries, including the MTESS; and other government entities. (9,37,40,41) In 2018, the Committee held six public events to raise awareness on human trafficking and training sessions for law enforcement and judicial personnel; however, there was no evidence of continued progress on a comprehensive anti-trafficking in persons bill to strengthen existing laws. (19,37)
National Commission for the Prevention of and Fight Against Child Labor	Prevents and eliminates child labor by coordinating government ministries and all other agencies that oversee labor activities. (6,32) Led by the MTESS, with members from the National Labor Union, NGOs, and nine other governmental agencies. (32,42) In 2018, research indicated that although the Commission continued to operate, ONPPE's role as the main hub of all issues concerning child protection, including issues of child labor, is expanding. (33)

The National Committee for the Prevention of and Fight Against Trafficking in Persons held the first of four planned national meetings on human trafficking in the southern province of Adrar. The event included participation by 80 representatives from local authorities, elected officials, and civil society. (19,33,37)

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 no evidence of a policy regarding other worst forms of child labor beyond the government's policy related to trafficking in persons.

Algeria

MODERATE ADVANCEMENT

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Prevention of and Fight Against Trafficking in Persons	Aims to prevent and reduce human trafficking by raising awareness of the issue, strengthening legislation, prosecuting human trafficking crimes, improving the provision of protective services to victims, and increasing collaboration with national and international NGOs. (9,15) In 2018, the National Committee for the Prevention of and Fight Against Trafficking in Persons organized a Day of Awareness for civil society figures on the role of civil society in combating child trafficking, while the National Gendarmerie held one course on child trafficking and seven seminars on victim identification and the protection of children for internal agency officials. (36)

Although the Government of Algeria has adopted the National Action Plan for the Prevention of and Fight Against Trafficking in Persons, research found no evidence of a policy regarding the worst forms of child labor. Nevertheless, the government is working on a national plan to address child labor issues; specifically, the Government of Algeria intends to launch an anti-begging campaign, which will commence in 2019. (10,43) The government has also formed a commission to draft a national action plan to address issues of begging. (37)

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
Child Labor Awareness Campaign†	Through ONPPE and other government agencies, the government makes various efforts to raise awareness about child labor. In 2018, the government organized an awareness-raising event in partnership with UNICEF on the dangers of child labor in the informal economy. (37)
Children Assistance Facilities†	The government operates 53 children assistance facilities to provide support for children, namely orphans and children in dangerous situations who are taken into custody by the state. In the first half of 2018, these shelters provided services to 4,925 children. (37)

† Program is funded by the Government of Algeria.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms. (11,14,37)

Although Algeria has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including the commercial sexual exploitation of children, forced begging, and street work.

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 Algeria (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit the use of children in all illicit activities, including using, procuring, and offering children for the production and trafficking of drugs.	2013 – 2018
	Determine the types of hazardous work prohibited for children under age 18, in consultation with employers' and workers' organizations.	2009 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on the enforcement of child labor laws, including the number of penalties collected and the number of criminal investigations, violations, and penalties imposed.	2009 – 2018
	Increase the number of labor inspectors in accordance with the ILO's technical advice and ensure that child labor laws are enforced in all geographic areas, including the informal sector.	2009 – 2018
Government Policies	Adopt a policy that includes all relevant worst forms of child labor, such as commercial sexual exploitation, forced begging, and street work.	2015 – 2018
Social Programs	Research and publish information on children involved in child labor, or at risk of being involved; specify these activities and publish information to inform policies.	2014 – 2018
	Take measures to remove barriers to accessing education, namely transportation and accessibility to schools, particularly for migrant children and children with disabilities.	2015 – 2018
	Expand existing programs to address the scope of the child labor problem, including the commercial sexual exploitation of children, forced begging, and street work.	2016 – 2018
	Ensure that isolated cases of school administrators denying enrollment to migrant children are stopped in accordance with laws allowing for free public education for all children.	2018

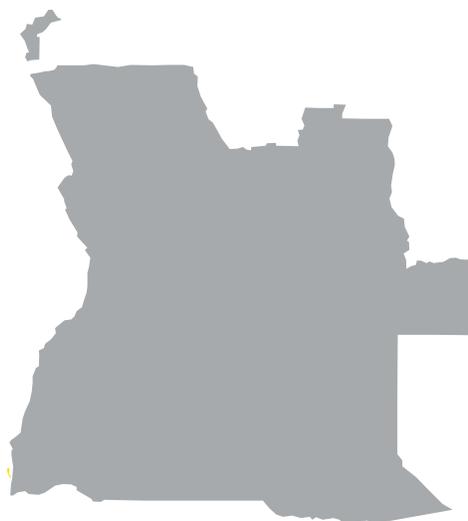
REFERENCES

- UNICEF. UNICEF Annual Report 2013-Algeria. May 29, 2014. http://www.unicef.org/about/annualreport/files/Algeria_COAR_2013.pdf.
- U.S. Embassy- Algiers. Reporting. February 4, 2016.
- U.S. Embassy- Algiers. Reporting. July 24, 2017.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 12, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics From National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4, 2012-2013. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy-Algiers. Reporting. March 4, 2014.
- Zahra, Yasmine. Travail des enfants en Algérie: Une réalité poignante! Le Journal de l'Emploi, June 22, 2015. Source on file.
- U.S. Embassy- Algiers. Reporting. March 22, 2016.
- U.S. Embassy- Algiers. Reporting. January 17, 2017.
- U.S. Embassy- Algiers. Reporting. January 15, 2019.
- U.S. Embassy- Algiers. Reporting. February 6, 2018.
- U.S. Embassy- Algiers official. Email communication to USDOL official. March 12, 2015.
- Massalaki, Abdoulaye. Algeria and Niger start repatriation of 3,000 illegal migrants. Reuters, December 10, 2014. <http://www.reuters.com/article/2014/12/10/us-niger-algeria-idUSKBN0J023W20141210>.
- Dunes Voices. Le travail des enfants défie les lois à Oran. Huffington Post, June 2, 2015. http://www.huffpostmaghreb.com/2015/06/02/le-travail-des-enfants-defie-les-lois-a-oran_n_7491260.html.
- U.S. Embassy- Algiers. Reporting. February 2, 2016.
- Loucif, A. Le travail des enfants prend de l'ampleur. Liberté, June 5, 2017. <https://www.liberte-algerie.com/est/le-travail-des-enfants-prend-de-l-ampleur-271228>.
- U.S. Embassy- Algiers official. Email communication to USDOL official. May 14, 2014.
- U.S. Department of State. Trafficking in Persons Report- 2018:Algeria. Washington, DC: June, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/algeria/>.
- U.S. Embassy- Algiers. Reporting. February 19, 2019.
- U.S. Embassy- Algiers official. Email communication to USDOL official. June 21, 2017.
- U.S. Department of State. Country Reports on Human Rights Practices- 2017:Algeria. Washington, DC: 2018. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/algeria/>.
- Government of Algeria. Loi n° 90-11 du 21 avril 1990 relative aux relations de Travail, modifiée et complétée au 11 janvier 1997. Enacted: April 21, 1990. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/9557/64805/F97DZA01.htm>.
- Government of Algeria. Décret exécutif n° 96-98 du 17 Chaoual 1416 correspondant au 6 mars 1996 déterminant la liste et le contenu des livres et registres spéciaux obligatoires pour les employeurs. Enacted: March 6, 1996. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=79172&p_country=DZA&p_classification=12.
- Government of Algeria. Ordonnance n° 66-156 du 8 juin 1966 portant code pénal, modifiée et complétée. Enacted: June 8, 1966. <http://www.joradp.dz/TRV/FPenal.pdf>.
- Government of Algeria. Décret présidentiel n° 08-134 du 30 Rabie Ethani 1429 correspondant au 6 mai 2008 fixant les conditions de recrutement des officiers de carrière de l'Armée nationale populaire. Enacted: May 11, 2008. Source on file.
- Government of Algeria. Loi n° 14-06 du 13 Chaoual 1435 correspondant au 9 août 2014 relative au service national. Enacted: August 9, 2014. http://www.elmouwatin.dz/IMG/pdf/loi_14-06.pdf.
- Government of Algeria. Loi D'Orientation Sur L'Éducation Nationale, n° 08-04. Enacted: January 23, 2008. http://www.africanchildforum.org/clr/Legislation_Per_Country/algeria/algeria_education_2008_fr.pdf.
- ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Algeria (ratification: 1984) Published: 2014. Accessed March 10, 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2699942:YES.
- U.S. Embassy- Algiers official. Email communication to USDOL official. May 7, 2018.
- U.S. Embassy- Algiers. Reporting. February 15, 2017.
- U.S. Embassy- Algiers. Reporting. March 11, 2015.
- U.S. Embassy- Algiers. Reporting. January 25, 2015.
- U.S. Embassy- Algiers. Email communication to USDOL Official. January 30, 2019.

MODERATE ADVANCEMENT

- 34 CIA. The World Factbook. Accessed January 19, 2018. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 35 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York: 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 36 U.S. Embassy- Algiers official. Email communication to USDOL official. June 15, 2019.
- 37 Government of Algeria. Written Response to Trafficking in Persons Report. February 4, 2019. Source on file.
- 38 APS. ONPPE: Installation Prochaine de la commission thématique sur la santé des enfants. January 23, 2019.
<http://www.aps.dz/societe/84273-onppe-installation-la-semaine-prochaine-de-la-commission-thematique-sur-la-sante-des-enfants>.
- 39 El Watan. Loi relative à la protection de l'enfance: les textes d'application sont au niveau Secrétariat général du Gouvernement. December 18, 2018.
<https://www.elwatan.com/edition/actualite/loi-relative-a-la-protection-de-lenfance-les-textes-dapplication-sont-au-niveau-du-secretariat-general-du-gouvernement-18-12-2018>.
- 40 U.S. Embassy- Algiers. Reporting. February 13, 2017.
- 41 Government of Algeria. Décret présidentiel n° 16-249 du 24 Dhou El Hidja 1437 correspondant au 26 septembre 2016 portant création, organisation et fonctionnement du comité national de prévention et de lutte contre la traite des personnes. Enacted: September 26, 2016.
<http://www.joradp.dz/FTP/jo-francais/2016/F2016057.pdf>.
- 42 Government of Algeria. Décision n° 006 du 16 mars 2003 portant création, composition et fonctionnement de la commission intersectorielle relative à la prévention et à la lutte contre le travail des enfants. Enacted: March 16, 2003. Source on file.
- 43 UN. Concluding observations on the report submitted by Algeria under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. June 22, 2018.
<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d/PPRiCAqhKb7yhsq3bGBgj7nnUgqOo/ynBrO//licd6ZkLwONLzIMOJ+hGYd5aqEYzz3isCTjwKD/wyeqDmOr23I6h2D9pt72x7HLBUBXg9r+/0Vt4epZzPqg3RyOv8xFkXYRbKyakGyDyw==>.

In 2018, Angola made a moderate advancement in efforts to eliminate the worst forms of child labor. The government approved the Penal Code, which prohibits the use of children for the production of pornography. It also approved a National Action Plan to Combat Child Labor, which aims to eliminate child labor by strengthening the rights of children, including increasing their access to education, and mapping child labor found throughout the country to better inform policies and programs. In addition, the government deployed the Southern African Development Community Trafficking in Persons regional database, which collects national data to facilitate the development and implementation of policies and programs to combat human trafficking. However, children in Angola engage in forced labor in agriculture. Children also perform dangerous tasks in construction. The gap between the compulsory education age and minimum age for work leaves children ages 12 and 13 vulnerable to the worst forms of child labor. There are not enough labor inspectors to provide sufficient coverage of the workforce, and social programs do not target all sectors in which children work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Angola engage in forced labor in agriculture. (1,2) Children also perform dangerous tasks in construction. (3) The 2015–2016 Survey on Multiple Health Indicators found that 23 percent of children ages 5 to 17 engage in child labor. The percentage of children engaged in child labor is higher in rural areas compared to urban areas; Cuanza Sul and Cuando Cubango provinces have the highest percentage of child laborers. (4) Table 1 provides key indicators on children’s work and education in Angola.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	15.1 (Unavailable)
Attending School (%)	5 to 14	69.4
Combining Work and School (%)	7 to 14	13.6
Primary Completion Rate (%)		46.1

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization’s analysis of statistics from Demographic and Health Survey, 2015–2016. (6)

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	Farming, including plowing, planting and picking tomatoes, harvesting vegetables, and the production of rice (1,3,7-10)
	Fishing, including artisanal fishing, and cleaning fish for deep freezing or sun drying (11-13)
	Cattle herding (2,11)
Industry	Artisanal diamond mining (2,11)
	Mining coal (2,3,11)
	Construction, including making and transporting bricks† (3,9,10)
Services	Slaughtering animals,† including cattle, goats, and pigs (9,14)
	Street work, including vending, car washing, shoe shining, and transporting heavy loads† (1,3,8-10)
	Domestic work (9)

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (2)
	Forced labor, including in agriculture, construction, artisanal diamond mining, and domestic work, each sometimes as a result of human trafficking (1,2,15)
	Use in illicit activities, including the transport of illicit goods across the border of Angola and Namibia (2)

† 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.

Undocumented Congolese migrant children enter Angola for work in diamond-mining districts, and some experience conditions of forced labor or commercial sexual exploitation in mining camps. (2,7) Girls as young as age 12 are trafficked from Kasai Occidental in the Democratic Republic of the Congo to Angola for forced labor and commercial sexual exploitation. Angolan boys are taken to Namibia and forced to herd cattle or work as couriers to transport illicit goods. (2)

Although tuition is free up to the sixth grade, families often face difficulty paying informal school fees, such as books or fees paid to education officials. (16) Additional barriers to education for children include poor infrastructure and lack of teachers, which have led to several school closings, resulting in thousands of elementary school children being unable to begin or continue their education. (17-19) The government permits children to attend school without birth registration, but only up to the fourth grade. (20)

II. Legal Framework for Child Labor

Angola 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 Angola’s legal framework to adequately protect children from the worst forms of child labor, including lack of a compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 254 of the Labor Law (21)
Minimum Age for Hazardous Work	Yes	18	Articles 3(21) and 256 of the Labor Law (21)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 256 of the Labor Law; Hazardous Work List (14,21)
Prohibition of Forced Labor	Yes		Articles 18–19 and 23 of the Money Laundering Law (22)
Prohibition of Child Trafficking	Yes		Articles 19 and 23 of the Money Laundering Law (22)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 19 and 22–23 of the Money Laundering Law; Articles 197-200 of the Penal Code (22,23)
Prohibition of Using Children in Illicit Activities	Yes		Articles 4 and 7 of the Drug Trafficking Law (24)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 11 of the Military Service Law (25)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the Military Service Law (25)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No	12‡	Articles 8 and 17 of the Basic Law of the Education System (26)
Free Public Education	Yes		Article 7 of the Basic Law of the Education System (26)

‡ Age calculated based on available information (26,27)

During the reporting period, the government drafted legislation to protect human trafficking victims, including children, through all stages of an investigation and the prosecution of cases. (28) The Penal Code, approved in January 2019, criminalizes the use of children for the production of pornography; however, it does not prohibit the procuring or offering of a child for the production of pornography, or the use, procuring, or offering of a child for pornographic performances. (23) Although the list of hazardous activities and occupations prohibited for children identifies 57 activities that are prohibited for children, the legislation does not include diamond mining, a sector in which there is evidence of work conducted underground. (9,14)

Ending compulsory education at age 12 leaves children ages 12 and 13 vulnerable to child labor because they are not required to attend school, but they also are not legally permitted to work. (26,27) In addition, this age conflicts with the National Development Plan (2018–2022), which sets the compulsory education age at 14. (29)

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 Public Administration, Labor, and Social Security (MAPTSS) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Administration, Labor, and Social Security	Enforces laws against child labor. Fines employers or sends cases to the Ministry of Interior for further investigation and to the Ministry of Justice and Human Rights for prosecution. (7) Employs labor inspectors nationwide to carry out inspections and joint operations with social services providers. (30)
National Children's Institute (INAC)	Receives complaints about cases of child exploitation, including child labor. Conducts inspections and responds to reports of child labor. (7,11)
Ministry of Interior's National Police	Enforces criminal laws and conducts operations and investigations related to the worst forms of child labor. (7) Through its Criminal Investigation Services, collaborates with the Juvenile Court on child labor, child trafficking, commercial sexual exploitation, and illicit recruitment investigations. (11)
Ministry of Justice and Human Rights	Investigates and prosecutes the worst forms of child labor. (7)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Angola took actions to combat child labor (Table 6). However, gaps exist within the framework of the MAPTSS that may hinder adequate labor law enforcement, including the allocation of human resources.

Angola

MODERATE ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown (11)
Number of Labor Inspectors	135 (9)	117 (11)
Inspectorate Authorized to Assess Penalties	Yes (9)	Yes (11)
Initial Training for New Labor Inspectors	Yes (9)	Yes (11)
Training on New Laws Related to Child Labor	Yes (9)	Yes (11)
Refresher Courses Provided	Yes (31)	Yes (11)
Number of Labor Inspections Conducted	5,384 (9)	4,871 (11)
Number Conducted at Worksite	Unknown	Unknown (11)
Number of Child Labor Violations Found	5 (9)	395 (13,32)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (9)	Unknown (11)
Number of Child Labor Penalties Imposed that Were Collected	N/A	Unknown (11)
Routine Inspections Conducted	Yes (9)	Yes (11)
Routine Inspections Targeted	Yes (9)	Yes (11)
Unannounced Inspections Permitted	Yes (9)	Yes (11)
Unannounced Inspections Conducted	Yes (9)	Yes (11)
Complaint Mechanism Exists	Yes (9)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (11)

The number of labor inspectors is likely insufficient for the size of Angola's workforce, which includes approximately 12.51 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Angola would employ about 313 labor inspectors. (9,33-35)

During the reporting period, the government aggressively targeted forced labor in the artisanal diamond mining trade by closing informal diamond trading houses and unlicensed artisanal mine operations. In addition, it established new regulations to license artisanal mines that aim to reduce the demand for forced labor in the sector. (28)

Inspectors from the MAPTSS work with the National Children's Institute (INAC) and the Ministry of Social Action, Family, and the Promotion of Women (MASFAMU) to ensure that child labor victims receive the appropriate social services. (9)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Angola 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 allocation of financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (9)	Yes (11)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (11)
Refresher Courses Provided	Yes (9)	Yes (11)
Number of Investigations	2 (36)	9 (28)
Number of Violations Found	Unknown	5 (37)
Number of Prosecutions Initiated	Unknown	5 (37)
Number of Convictions	Unknown	9 (28)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (28)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (11)

In 2018, the government investigated nine human trafficking cases, six of which originated in Cunene Province, which borders Namibia. They involved 21 victims, mostly Angolan minors, and an unspecified number of Angolan and Namibian perpetrators. (28) In addition, the government secured nine convictions during the reporting period, involving adults and children being trafficked to Namibia for forced labor. The Governments of Angola and Portugal cooperated on one case of three minors, two boys and a girl, who were trafficked by two Angolan men, who were subsequently convicted by a Portuguese court. (28) In addition, the government deployed the Southern African Development Community Trafficking in Persons regional database, which collects national data to facilitate the development and implementation of policies and programs to combat human trafficking. (28)

The Ministry of Interior refers victims of the worst forms of child labor to INAC and the MASFAMU to receive social services. (9,38) Reports indicate that the government assisted 35 human trafficking victims during the reporting period, the majority of whom were children. (28)

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 efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
Commission to Combat Trafficking in Persons	Coordinates enforcement efforts on human trafficking, including child trafficking for labor and commercial sexual exploitation. Led by the Ministry of Justice and Human Rights. (39) Continued to meet periodically during the reporting period. (2) Worked on the National Action Plan on Trafficking in Persons. (28)
National Council for Social Action	Promotes and defends children's rights through social consultation and monitoring of public policies. Led by the Ministry of Social Action, Family, and the Promotion of Women (MASFAMU). (31,40) Research was unable to determine activities undertaken by the National Council for Social Action during the reporting period.
MASFAMU	Ensures coordination among various government agencies related to social welfare and victim protection. (7,36) A network of institutions and shelters protect children from abusive, exploitative, and dangerous situations. (41) In 2018, launched the National Plan of Action to Eradicate Child Labor. (2,28)
INAC	Coordinates child protective services. Works with MASFAMU to provide shelter and helps reintegrate children found in child labor situations, with their families. (36) In 2018, conducted a seminar on Child Victims of Human Trafficking and Child Labor. (28)

Despite the existence of the Commission to Combat Trafficking in Persons, the government faces challenges aggregating and synthesizing data on human trafficking cases. (28) Research shows that there is no specific coordinating mechanism dedicated solely to addressing issues related to the worst forms of child labor outside the scope of human trafficking.

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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Child Labor (2018–2022)†	Aims to eliminate child labor by strengthening the rights of children, including increasing access to education, and mapping areas and types of child labor found across the country to better inform relevant policies to combat child labor. (42)
Plan of Action and Intervention Against the Sexual and Commercial Exploitation of Children	Aims to protect and defend the rights of child victims of sexual and economic exploitation, including by providing rehabilitation. (43) Research was unable to determine whether activities were undertaken to implement the Plan of Action and Intervention Against the Sexual and Commercial Exploitation of Children during the reporting period.

† 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. (29,44)

Angola

MODERATE ADVANCEMENT

Reports indicate the National Action Plan on Trafficking in Persons remained in draft form during the reporting year. (28)

Although the government has adopted the National Action Plan to Combat Child Labor, research indicates lack of funding hindered its implementation during the reporting period. (11)

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
Social Protection Programs†	National network of child support centers implemented by the government, in coordination with NGOs, that offer meals, shelter, basic education, and family reunification services to crime victims, including child trafficking victims. MASFAMU and the Organization of Angolan Women operate 52 children's shelters. (36,45) In 2018, MASFAMU, along with partners, held a workshop aimed at framing an integrated and inclusive Social Protection program, in accordance with the new guidelines of the National Development Plan (2018–2022). This program provides financial support for families in situations of social vulnerability, particularly those with children under age 5. (13)
Birth Registration and Justice for Children†	Government-run program making birth registration free for all Angolan citizens. In 2018, continued to expand its birth registration goals through the campaign "Registered at Birth," launched in July 2017, with the aim of automatically registering all children born in maternity wards. (46) Currently 118,000 children have been registered. (46) Program also launched a campaign encouraging fathers to register their children. (47,48)
UNICEF Country Program (2015–2019)	UNICEF program, in coordination with the government, designed to plan and implement education and child protection-focused interventions. (49) Collaborates with the government to run a child helpline in Luanda Province. (50) During the reporting period, in flood-affected communities, 839 children accessed education services through the provision of UNICEF tents, recreational kits, and school kits for children in Bié, Cunene, and Huila provinces. (13,51)
National Institutes of Job and Professional Training†	Government-funded program of 555 centers that provide professional training for youth so that they have the skills to enter the formal labor market. (7,52) Reports indicate a merging of government training centers across the country during the reporting period, due to the financial crisis. It is unknown how many centers remain open. (53)
Mobile Schools and Free Meals for Children†	Ministry of Education program that provides education in mobile schools to migrant children who work with their parents in cattle herding. Specifically targets children at the highest risk of involvement in child labor in southern Angola. (7) Supports some mobile schools with kitchens, which facilitate the free school meals program. (7,54) In 2018, the program continued to be introduced in schools throughout the country. (55,56)

† Program is funded by the Government of Angola.

Although Angola has implemented programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. Furthermore, research did not identify programs that seek to reach children engaged in certain worst forms of child labor, such as commercial sexual exploitation and forced labor.

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 Angola (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits hazardous occupations or activities for children in all relevant sectors in Angola, including diamond mining.	2011 – 2018
	Ensure that the legal framework prohibits the procuring and offering of children for the production of pornography, and the use, procuring, and offering of a child for pornographic performances.	2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Increase the compulsory education age to 14 to be consistent with the National Development Plan and the minimum age for work.	2009 – 2018
Enforcement	Publish information regarding the labor inspectorate's funding and the number of labor inspections conducted at worksites, and the number of child labor violations for which penalties were imposed and collected.	2011 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2018
Coordination	Establish coordinating mechanisms to combat all forms of child labor.	2016 – 2018
	Increase the capacity to aggregate and synthesize data on human trafficking cases.	2018
	Ensure that the National Council for Social Action, responsible for the monitoring of public policies related to promoting and defending children's rights, is active and capable of adhering to its mandate.	2018
Government Policies	Ensure that the Plan of Action and Intervention Against the Sexual and Commercial Exploitation of Children is effectively implemented.	2014 – 2018
	Ensure that the National Action Plan to Combat Child Labor has sufficient funds for implementation.	2018
	Ensure that the National Action Plan on Trafficking in Persons is approved and implemented.	2018
Social Programs	Develop and expand existing social programs to ensure that all children have access to education and are not restricted by informal fees, lack of birth certificates, lack of teachers, or poor school infrastructure.	2013 – 2018
	Institute programs that target children engaged in commercial sexual exploitation and forced labor, and expand existing programs to address the scope of the child labor problem.	2010 – 2018

REFERENCES

- Agência Angola Press. Huambo: INAC constata aumento do trabalho infantil. June 13, 2016. http://www.angop.ao/angola/pt_pt/noticias/sociedade/2016/5/24/Huambo-INAC-constata-aumento-trabalho-infantil,e879e781-1dc9-4594-b09d-6dc0c9dee3d5.html.
- U.S. Department of State. Trafficking in Persons Report- 2018: Angola. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/angola/>
- Government of Angola. Response to the Questionnaire About Child Labor in Angola. 2014. Source on file.
- Government of Angola. Inquérito de Indicadores Múltiplos e de Saúde (IIMS) 2015-2016. June 2017. <https://dhsprogram.com/pubs/pdf/FR327/FR327.pdf>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey, 2015–2016. Analysis received May 30, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Luanda. Reporting. February 27, 2014.
- Paulino, Carlos. Sobe trabalho infantil nas ruas de Menongue. *Jornal de Angola*, March 19, 2016. http://jornaldeangola.sapo.ao/reportagem/sobe_trabalho_infantil_nas_ruas_de_menongue.
- U.S. Embassy- Luanda. Reporting. February 22, 2018.
- Brandão, André. Trabalho infantil aumenta em Ndalatando e arredores. *Jornal de Angola*. June 14, 2018. http://jornaldeangola.sapo.ao/provincias/trabalho_infantil_aumenta_em_ndalatando_e_arredores_1.
- U.S. Embassy- Luanda. Reporting. February 14, 2019.
- Agência Angola Press. Governador desencoraja crianças na actividade pesqueira. July 20, 2018. http://www.angop.ao/angola/pt_pt/noticias/educacao/2018/6/29/Governador-desencoraja-criancas-actividade-pesqueira,7c5454d2-ec5b-4742-bd06-3c444c062ff6.html.
- U.S. Embassy- Luanda official. Email communication to USDOL official. July 9, 2019.
- Government of Angola. Decreto Presidencial No. 30/17. February 22, 2017. Source on file.
- Agência Lusa. Polícia intercepta autocarro com 19 crianças para trabalho infantil. July 24, 2015. <http://www.redeangola.info/policia-intercepta-autocarro-com-19-criancas-para-trabalho-infantil/>.
- U.S. Department of State. Country Reports on Human Rights Practices- 2018: Angola. Washington, DC. March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/angola/>
- Jornal de Angola*. Escolas são encerradas por falta de professores. October 3, 2018. http://jornaldeangola.sapo.ao/provincias/escolas_sao_encerradas_por_falta_de_professores.
- Ganga, Marcela. Escolas em risco de desabamento em Luanda. *Agência de Notícias*. March 14, 2018. https://www.angop.ao/angola/pt_pt/noticias/educacao/2018/2/11/Escolas-risco-desabamento-Luanda,d30a28ff-3fe2-4f00-bac7-8e96375078f9.html.
- Moniz, Francisco. Milhares de crianças fora da escola por falta de professores em município do Uíge. *VOA*. February 14, 2018. <https://www.voportugues.com/a/dezenas-escolas-fechadas-falta-de-professores-uide/4254580.html>.
- U.S. Department of State. Country Reports on Human Rights Practices- 2016: Angola. Washington, DC. March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/angola/>.

MODERATE ADVANCEMENT

- 21 Government of Angola. Lei Geral do Trabalho, Lei No. 7/15. Enacted: June 15, 2015. [http://c026204.cdn.sapo.io/1/c026204/cld-file/1426522730/6d77c9965e17b15/aa4ced447f00ac5becad3d5eedd34cb/fiscalidadeonline/2015/Lei geral do trabalho 2015-06-15.pdf](http://c026204.cdn.sapo.io/1/c026204/cld-file/1426522730/6d77c9965e17b15/aa4ced447f00ac5becad3d5eedd34cb/fiscalidadeonline/2015/Lei%20geral%20do%20trabalho%202015-06-15.pdf).
- 22 Government of Angola. Lei sobre a Criminalização das Infracções Subjacentes ao Branqueamento de Capitais, No. 3/2014. Enacted: February 10, 2014. Source on file.
- 23 Government of Angola. Lei que Aprova o Codigo Penal Angolano. January 2019. <http://www.parlamento.ao/documents/506145/0/PROP.+LEI+CÓDIGO+PENAL.pdf>.
- 24 Government of Angola. Lei sobre o Tráfico e Consumo de Estupefacientes, Substâncias Psicotrópicas e Precursores, Lei No. 3/99. Enacted: August 6, 1999. Source on file.
- 25 Government of Angola. Lei Geral do Serviço Militar, Lei No. 1/93. Enacted: March 26, 1993. Source on file.
- 26 Government of Angola. Lei de Bases do Sistema de Educação, No. 13/01. Enacted: December 31, 2001. Source on file.
- 27 UNESCO. Global Education Digest. 2012. <http://www.uis.unesco.org/Education/Documents/ged-2012-en.pdf>.
- 28 U.S. Embassy- Luanda. Reporting. March 29, 2019.
- 29 Government of Angola. Plano de Desenvolvimento Nacional 2018-2022. Ministry of Economy and Planning. April 26, 2018. [https://www.info-angola.com/attachments/article/4867/PDN 2018-2022_MASTER_vf_Volume I_13052018.pdf](https://www.info-angola.com/attachments/article/4867/PDN%202018-2022_MASTER_vf_Volume%20I_13052018.pdf).
- 30 ILO. Angola: Labour Inspection Structure and Organization. October 26, 2016. http://www.ilo.org/labadmin/info/WCMS_151303/lang--en/index.htm.
- 31 U.S. Embassy- Luanda official. Email communication to USDOL official. March 5, 2018.
- 32 Simão, Yara. "Proteger a criança é obrigação de todos." *Jornal de Angola*. June 13, 2019. <http://jornaldeangola.sapo.ao/sociedade/proteger-a-crianca-e-obrigacao-de-todos>.
- 33 CIA. The World Factbook. Accessed: January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 34 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York: 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 35 ILO. Strategies and Practice for Labour Inspection. November 2006: GB.297/ESP/3. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 36 U.S. Embassy- Luanda. Reporting. February 12, 2018.
- 37 U.S. Embassy- Luanda official. Email communication to USDOL official. July 16, 2019.
- 38 U.S. Embassy- Luanda official. Email communication to USDOL official. April 14, 2015.
- 39 U.S. Embassy- Luanda. Reporting January 21, 2015.
- 40 U.S. Embassy- Luanda official. Email communication to USDOL official. May 14, 2018.
- 41 U.S. Embassy- Luanda. Reporting. October 7, 2014.
- 42 Government of Angola. [PLANO DE ACÇÃO NACIONAL DE ERRADICAÇÃO DO TRABALHO INFANTIL EM ANGOLA - PANETI] (2018-2022). 2018. Source on file.
- 43 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Angola (Ratification: 2001) Published: 2015. Accessed: November 3, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3185745:NO.
- 44 Government of Angola. [ESTRATÉGIA NACIONAL DE MÉDIO PRAZO PARA OS DIREITOS HUMANOS. MINISTÉRIO DA JUSTIÇA E DOS DIREITOS HUMANOS.] December 2018. [file:///C:/Users/Jesus-Jacqueline/Downloads/Estrategia_Nacional_de_Medio_Prazo_para_os_DH_2019-22_V4.12_Contribuicoes-compressed \(3\).pdf](file:///C:/Users/Jesus-Jacqueline/Downloads/Estrategia_Nacional_de_Medio_Prazo_para_os_DH_2019-22_V4.12_Contribuicoes-compressed%20(3).pdf).
- 45 U.S. Department of State. Trafficking in Persons Report- 2017: Angola. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/angola/>
- 46 Augusto, Francisca. Registo de nascimento ganha nova dinâmica. *Agência Angola Press*. August 28, 2018. http://www.angop.ao/angola/pt_pt/noticias/sociedade/2018/7/35/Registo-nascimento-ganha-nova-dinamica,blfc2c0c-0ecc-459b-b06b-545d24b8d04e.html.
- 47 UNICEF Angola. Porta-voz da Polícia Nacional incentiva a Paternidade Responsável. December 12, 2018. <https://www.youtube.com/watch?v=Z26aqHUXo9w>.
- 48 UNICEF Angola. Paternidade Responsável. 2018. <https://www.unicef.org/angola/paternidade-responsavel>.
- 49 UNICEF. Angola Country programme document 2015-2019. September 11, 2014. http://www.unicef.org/about/execboard/files/2014-PL4-Angola_CPD-final_approved-EN.pdf.
- 50 UNICEF. UNICEF Annual Report 2015- Angola. 2015. https://www.unicef.org/about/annualreport/files/Angola_2015_COAR.pdf.
- 51 UNICEF. Angola - Humanitarian Situation Report Jan-Dec 2018. January 9, 2019. https://www.unicef.org/appeals/files/UNICEF_Angola_Humanitarian_Situation_Report_Dec_2018.pdf.
- 52 allAfrica. Inefop Trains Over 20,000 Young People. December 11, 2014. <http://allafrica.com/stories/201412120427.html>.
- 53 U.S. Embassy- Luanda official. Email communication with USDOL official. March 28, 2019.
- 54 U.S. Department of State official. Email communication to USDOL official. May 23, 2014.
- 55 Agência Angola Press. Retomada distribuição de merenda escolar em Quiculungo. June 15, 2018. https://www.angop.ao/angola/pt_pt/noticias/educacao/2018/5/24/Retomada-distribuicao-merenda-escolar-Quiculungo,dacae2e7-148e-4181-bf09-449d64653ec3.html.
- 56 *Jornal de Angola*. Cazenga e Talatona com merenda escolar. July 9, 2018. http://jornaldeangola.sapo.ao/sociedade/cazenga_e_talatona_com_merenda_escolar.

Although research found no evidence that child labor exists in Anguilla, the government made a minimal advancement in efforts to prevent the worst forms of child labor in 2018. During the reporting period, the government worked with the United Kingdom's Children and Family Court Advisory and Support Service to develop a National Social Protection Policy and Action Plan and provided awareness-raising sessions, school programs, training, and workshops on child protection. However, the law does not prohibit the involvement of children in illicit activities and the minimum age for work does not meet international standards.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Anguilla. (1-5)

Data on key indicators on children's work and education are not available from the sources used in this report. (4,5) However, the Government of Anguilla collected data on child labor for 2018 at the request of the Child Safeguarding Unit, which is part of the United Kingdom of Great Britain and Northern Ireland's Foreign and Commonwealth Office Overseas Territories Directorate. (3,6)

II. LEGAL FRAMEWORK FOR CHILD LABOR

British Overseas Territories (BOTs) are under the jurisdiction and sovereignty of the United Kingdom (UK), but they are not constitutionally part of the UK. (7) They are self-governing, except in the areas of foreign affairs and defense. Domestic UK law does not generally apply unless explicitly extended to BOTs. (7) Under Article 35(4) of the ILO Constitution, when the UK ratifies a Convention, the Territory must consider if it will accept the Convention. If the Convention is accepted, it is considered applicable to that territory. The following Convention has been extended to Anguilla (Table 1). (7,8)

Table 1. 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 of Anguilla has established laws and regulations related to child labor (Table 2). However, gaps exist in Anguilla's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	12	Articles 1 and 3–4 of the Employment of Women, Young Persons and Children Act; Articles 1–2 of the Employment of Children (Restriction) Act (9,10)
Minimum Age for Hazardous Work	No	14	Articles 1 and 3–4 of the Employment of Women, Young Persons and Children Act; Articles 1–2 of the Employment of Children (Restriction) Act (9,10)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 6 of the Employment of Women, Young Persons and Children Act (9)

MINIMAL ADVANCEMENT

Table 2. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 4 of the Constitution Order; Articles 147–148 and 152–153 of the Criminal Code (11,12)
Prohibition of Child Trafficking	Yes		Articles 152–153 of the Criminal Code (11)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 147–148, 150, and 152–153 of the Criminal Code (11)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	17	Article 117 of the Education Act (13)
Free Public Education	Yes		Article 106 of the Education Act (13)

* No conscription (14)

† No standing military (8,14)

The minimum work age of 12 does not meet international standards. There is also a minimum work age of 14, but it only applies to industrial undertakings, transportation of passengers or goods by roads or rail, and work on ships. (9,10) Moreover, the minimum age of 14 for hazardous work does not meet international standards. However, there is a prohibition of night work for children under age 16 in manufacturing of raw sugar, and a prohibition of night work in other industrial undertakings for children under age 18. (9) Additionally, Anguilla does not prohibit the use of children in illicit activities, including the production and trafficking of drugs. (11,15,16) The law does not criminally prohibit the recruitment of children by non-state armed groups. (11)

Because 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.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor. However, in Anguilla, the UK government has established an institutional mechanism for the enforcement of labor laws (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor of the Ministry of Finance, Economic Development, Investments, and Tourism	Enforces child labor laws through the Labor Commissioner, pursuant to the Employment of Children (Restriction) Act. (17)
Department of Social Development of the Ministry of Social Development	Safeguards the well-being of children and investigates reports of child abuse. (18,19)
Royal Anguilla Police Force	Investigates child protection cases. (18,19)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor. However, the Government of Anguilla has established a mechanism to coordinate its efforts to address child labor (Table 4).

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Ministry of Social Development	Implements child protection efforts and ensure that Anguilla complies with the CRC. (19)

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor. However, the Government of Anguilla has established the Child Protection National Action Plan, Safeguarding and Child Protection Protocols and Procedures, and an Inter-Agency Child Protection Protocol. All of these policies may contribute to the prevention of child labor. (20,21,22,23)

In 2018, the Government of Anguilla worked with the UK's Children and Family Court Advisory and Support Service (CAFCASS) to develop a National Social Protection Policy and Action Plan. The Action Plan includes programs for child protection. (6)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor. However, the Government of Anguilla has established the Safeguarding Children in Anguilla Project and the Child Safeguarding in the Overseas Territories Regional Project, which may contribute to the prevention of child labor. (24,25)

During the reporting period, the Government of Anguilla worked with CAFCASS to provide awareness-raising sessions, school programs, training, and workshops on child protection. (6)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor in Anguilla (Table 5).

Table 5. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law establishes age 15 as the minimum age for work in all sectors.	2016 – 2018
	Establish age 18 as the minimum age for all hazardous work.	2011 – 2018
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2017 – 2018
	Ensure the law prohibits the use of children in illicit activities, including drug trafficking and production.	2014 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018

REFERENCES

- U.S. Embassy- London. Reporting. January 15, 2015.
- U.S. Embassy- London. Reporting. January 17, 2018.
- U.S. Embassy- London. Reporting. February 6, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary. Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Government of Great Britain and Northern Ireland official. E-mail communication to USDOL Official. January 18, 2019.
- U.S. Embassy- London. Reporting. January 24, 2017.
- U.S. Embassy London official. Email communication to USDOL official. May 8, 2014.
- Government of Anguilla. Employment of Women, Young Persons and Children Act. Enacted: December 15, 2000. <http://www.gov.ai/laws/E055-Employment of Women Young Persons and Children Act/>.
- Government of Anguilla. Employment of Children (Restriction) Act, Revised Statues of Anguilla, Chapter E50. Enacted: 2000. [http://www.gov.ai/laws/E050-Employment of Children \(Restriction\) Act/](http://www.gov.ai/laws/E050-Employment of Children (Restriction) Act/).
- Government of Anguilla. Anguilla Criminal Code, E55. Enacted: December 15, 2010. <http://www.gov.ai/laws/C140-Criminal Code/>.
- Government of Anguilla. The Anguilla Constitution Order 1982. Enacted: April 1, 1982. <http://www.constitutionnet.org/vl/anguilla-constitution-1982>.
- Government of Anguilla. Education Act, 2011. Enacted: 2012. <http://www.gov.ai/documents/EducationBill2011.pdf>.
- CIA. The World Factbook: Anguilla. Accessed August 6, 2018. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.

MINIMAL ADVANCEMENT

- 15 Government of Anguilla. Drugs (Prevention of Misuse) Act. Enacted: December 10, 2010.
[http://www.gov.ai/laws/D045-00-Drugs \(Prevention of Misuse\) Act/](http://www.gov.ai/laws/D045-00-Drugs (Prevention of Misuse) Act/).
- 16 Government of Anguilla. Drug Trafficking Offences Act. Enacted: December 15, 2004.
https://www.unodc.org/res/cld/document/drugs-trafficking-offences-act-ang_html/anguilla-DRUGS_TRAFFICKING_OFFENCES_ACT-151204.pdf.
- 17 Government of the United Kingdom of Great Britain and Northern Ireland official. E-mail communication to USDOL official. March 22, 2018.
- 18 Government of Anguilla. Safeguarding Children in Anguilla, An Abbreviated Guide. 2011.
<http://www.gov.ai/documents/Draft Child Protection Protocol Abbreviated Guide.pdf>.
- 19 Government of Anguilla - Ministry of Health and Social Development. Safeguarding Children in Anguilla: A Policy Guideline. 2015. Source on file.
- 20 Government of Anguilla official. Email communication to USDOL official. February 21, 2017.
- 21 U.S. Embassy- London. Reporting. January 21, 2014.
- 22 Anguilla Ministry of Health & Social Development. Safeguarding Children in Anguilla. 2015.
<http://www.gov.ai/documents/SafeguardingChildrenInAnguilla.pdf>.
- 23 The Anguillian. Signing of the Inter-agency Child Protection Protocol. March 30, 2015.
<http://theanguillian.com/2015/03/signing-of-the-interagency-child-protection-protocol/>.
- 24 UNICEF. New DFID-UNICEF Project to Safeguard Children in the British Overseas Territories. February 28, 2014.
http://www.unicef.org/easterncaribbean/ECAO_Monsterrat_launch.pdf.
- 25 The Anguillian. UNICEF, Anguilla Document to Look at Young Children. September 19, 2016.
<http://theanguillian.com/2016/09/unicef-anguilla-document-to-look-at-young-children/>.

In 2018, Argentina made a significant advancement in efforts to eliminate the worst forms of child labor. The new Secretariat of Labor worked with Argentina's National Institute of Statistics and Census to publish the country's first national child labor survey, with representation from every region in the country. Provincial courts also rendered the first ever criminal conviction for child labor in Argentina. In July 2018, the government approved the 2018–2020 Action Plan against Human Trafficking and Exploitation. In addition, the Secretariat of Labor and Special Prosecutor for Human Trafficking published guides for investigators and justice sector officials in understanding and applying Argentina's human trafficking and child labor legislation. However, children in Argentina engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in illicit activities such as the sale and distribution of drugs. Children also perform dangerous tasks in agriculture. The government does not publish federal and provincial labor and criminal law enforcement data on child labor, and social programs that address child labor in agriculture do not appear to address the full scope of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Argentina engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in illicit activities such as the sale and distribution of drugs. (1,2) Children also perform dangerous tasks in agriculture. (3-5) In November 2016, the government, in collaboration with the ILO, began conducting the National Survey on Children and Youth Activities (EANNA) to assess child labor in urban areas, and in 2017 extended the survey into rural areas. (6) The report was published in November 2018 and is Argentina's first nationally representative child labor survey. (7,8) It concluded that there are 291,335 working children between the ages of 5 and 15. (8) Table 1 provides key indicators on children's work and education in Argentina. Raw data from the government's EANNA survey have not been made publicly available for analysis.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.2 (258,286)
Attending School (%)	5 to 14	98.5
Combining Work and School (%)	7 to 14	4.8
Primary Completion Rate (%)		102.4

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (9)

Source for all other data: International Labor Organization's analysis of statistics from *Módulo de Actividades de Niños, Niñas y Adolescentes (SIMPOC)*, 2012. (10)

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	Harvesting, blueberries,† carrots,† cotton,† garlic,† grapes,† olives,† onions,† potatoes,† strawberries,† and tomatoes† (11-22)
	Harvesting yerba mate (stimulant plant)† and tobacco†(3,4,12,23-28)
Industry	Production of garments (1,29,30)
	Production of bricks† and wooden crates (1,6,12,31-34)
	Construction,† activities unknown (12,32)

Argentina

SIGNIFICANT ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Street begging and performing,† windshield-washing†, handing out flyers or promotional materials, and guarding parked cars (12,35,36)
	Refuse collection, recycling, and garbage scavenging† (8,12,19,37,38)
	Caregiving, including caring for other children, the elderly, or infirmed people (12)
	Working and cooking in food service (12)
	Domestic work, including cleaning, laundry, and ironing (8,12)
	Yard work, including cutting lawns and pruning trees (12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking, including use in the production of pornography (6,7,12,39,40)
	Forced labor in the production of garments (1,12,39)
	Use in illicit activities, including selling and distributing drugs (2,12,41,42)
	Forced labor in domestic work (1,12)

† 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.

Misiones—the producer of 90 percent of Argentina’s and 60 percent of the world’s yerba mate—is one of the provinces most affected by child labor. (43) Children as young as the age of 5 help their parents harvest yerba mate, sometimes carrying heavy loads. (43) In Salta and Jujuy, children between the ages of 5 and 17 harvest tobacco. (27,44)

Although the extent of the problem is unknown, reports indicate that girls from Argentina’s Northern provinces are victims of human trafficking for commercial sexual exploitation. (1,45) Bolivian children and children of Bolivian immigrants in Argentina engage in child labor in agriculture, production of bricks, and domestic service, and in forced child labor in the production of garments. (1,12,17,34,39,46) Reports also indicate that Paraguayan children are victims of human trafficking for the purpose of commercial sexual exploitation in Argentina. (1,40,47)

In Argentina, education is compulsory until age 18. However, reports indicate that many children, including those ages 16 and 17, drop out of school. (48,49) Those children are not eligible for youth employment programs, including most apprenticeships, as the minimum age to qualify for those programs is 18. (50-49) Thus, they are likely to engage in jobs in the informal sector and, without formal training, may remain in informal work as adults. (49)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Argentina 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 Argentina’s legal framework to adequately protect children from the worst forms of child labor, including a gap between the minimum age of work and the compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Articles 2, 7, and 17 of the Prohibition of Child Labor and Protection of Adolescent Work Law; Article 9 of the Special Code on Contracting Domestic Workers; Article 25 of the Child and Adolescent Rights Protection Law; Articles 54–55 of the Law on Agrarian Work (52-55)
Minimum Age for Hazardous Work	Yes	18	Article 10 of the Prohibition of Child Labor and Protection of Adolescent Work Law; Articles 176 and 191 of the Law on Labor Contracts; Article 62 of the Law on Agrarian Work (54-56)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Executive Decree 1117/2016 on Dangerous Work (57)
Prohibition of Forced Labor	Yes		Article 15 of the Constitution; Articles 1 and 24–26 of the Modifications to the Prevention of and Sanction Against Trafficking in Persons and Assistance to Victims Law; Article 9 of the Child and Adolescent Rights Protection Law (52,58,59)
Prohibition of Child Trafficking	Yes		Articles 1 and 25–26 of the Modifications to the Prevention of and Sanction Against Trafficking in Persons and Assistance to Victims Law; Article 9 of the Child and Adolescent Rights Protection Law (52,59)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 1 and 21–23 of the Modifications to the Prevention of and Sanction Against Trafficking in Persons and Assistance to Victims Law; Article 6 of the Crimes Against Sexual Integrity Law; Article 128 of the Penal Code (59-61)
Prohibition of Using Children in Illicit Activities	Yes		Article 11 of the Possession and Trafficking of Drugs Law (62)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 8 of the Voluntary Military Service Law (63)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 19 of the Voluntary Military Service Law (63)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 10 of Law No. 26.200 (64)
Compulsory Education Age	Yes	18‡	Articles 16 and 29 of the National Education Law; Article 2 of the Law on Early Education (65-67)
Free Public Education	Yes		Articles 15–16 of the Child and Adolescent Rights Protection Law (52)

* No conscription (68)

‡ Age calculated based on available information (65)

In September 2018, the Argentine government reformed its cabinet, reducing the number of ministries from 20 to 10 and transforming the prior Ministry of Labor, Employment, and Social Security into the Secretariat of Labor, Employment, and Social Security, which now falls under the Ministry of Production and Labor. (7,69) The newly formed Secretariat of Labor continues to conduct enforcement efforts in coordination with provincial-level labor authorities in each of Argentina’s 23 provinces and the City of Buenos Aires, known as CABA. All inspectors are tasked with enforcing laws related to child labor as part of the Secretariat of Labor’s broader enforcement strategy, the National Plan for the Regularization of Labor (*Plan Nacional de Regularización del Trabajo*). (7) In 2018, the Secretariat of Labor also worked with the ILO to update its list of hazardous work. (7) 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. (52-55,65-67)

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 Secretariat of Labor that may hinder adequate

Argentina

SIGNIFICANT ADVANCEMENT

enforcement of their child labor laws, including human resource allocation.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
The Secretariat of Labor, Employment, and Social Security	Enforces child labor laws, in part through its Coordinating Body for the Prevention of Child Labor and the Regulation of Adolescent Work (COORDITIA). Oversees the National Commission for the Eradication of Child Labor (CONAETI). (70,71) Collaborates with the National Registry of Rural Workers and Employers (RENATRE) in enforcing child labor laws in the agricultural sector. (71,72) Maintains a national hotline through which labor violations can be reported. (7,71)
Ministry of Justice and Human Rights	Maintains a tribunal for adjudicating disputes involving domestic work, and hotlines for reporting cases of child labor and forced labor. (73)
Office for the Rescue and Care of Trafficking Victims	Provides emergency legal and other assistance to victims of labor and sex trafficking, including child victims. Under the Ministry of Justice and Human Rights. (74) Maintains regional offices that coordinate the provision of legal and social services to human trafficking victims in the Provinces of Chaco, Chubut, La Pampa, La Rioja, Mendoza, Rio Negro, and Santa Fe. (47,75-77) Maintains a hotline through which alleged crimes of trafficking in persons can be reported. (74)
Special Prosecutor's Office for Human Trafficking and Exploitation (PROTEX)	Prosecutes crimes of trafficking in persons for labor and commercial sexual exploitation, instructs federal personnel in the investigation of human trafficking, and designs criminal policy related to human trafficking. (78-80) Manages Line 145, the anonymous national hotline that allows the public to report suspected human trafficking cases and assists in responding to these calls with the Rescue Program Office (<i>Oficina de Programa de Rescate</i>), which is part of the Ministry of Justice. (74,81)
National Directorate of Criminal Intelligence, Human Trafficking Unit	Improves the ability of the Ministry of Security and federal police forces to collect information and investigate trafficking in persons. (81)
National Immigration Directorate	Directs the National Immigration Police, oversees the rights of migrants, and assists in investigating cases of transnational human trafficking. (82)
Federal Police	Conduct human trafficking investigations through the Trafficking in Persons Division. (83)
Federal Administration of Public Revenue (AFIP)	Ensures employer compliance with national laws, assists in workplace and labor-related inspections, and initiates prosecutions of labor violations through the Penal Section of its Social Security Directorate. (84)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Argentina took actions to combat child labor (Table 6). However, gaps exist within the operations of the Secretariat of Labor, and between the national Secretariat and the provincial authorities, that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (12)	Unknown (7)
Number of Labor Inspectors	355 (12)	395 (71)
Inspectorate Authorized to Assess Penalties	Yes (12)	Yes (7)
Initial Training for New Labor Inspectors	Yes (12)	Yes (7)
Training on New Laws Related to Child Labor	Yes (12)	Yes (7)
Refresher Courses Provided	Yes (12)	Yes (7)
Number of Labor Inspections Conducted	184,440 (12)	177,734 (7)
Number Conducted at Worksite	Unknown (12)	177,734 (7)
Number of Child Labor Violations Found	38 (85)	21 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	32 (12)	Unknown (7)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (12)	Unknown (7)
Routine Inspections Conducted	Yes (12)	Yes (7)
Routine Inspections Targeted	Yes (12)	Yes (7)
Unannounced Inspections Permitted	Yes (12)	Yes (7)
Unannounced Inspections Conducted	Yes (12)	Yes (7)
Complaint Mechanism Exists	Yes (12)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (7)

From August to November of the reporting period, the Secretariat of Labor carried out several training sessions

for labor inspectors, both in person and virtually. (7) The Special Prosecutor’s Office for Human Trafficking and Exploitation (PROTEX) provided training to judicial officials, law enforcement agents, students, and NGOs. Representatives from PROTEX also spoke at training sessions for officials at the National Registry for Rural Workers and Employers (RENATRE), and in August provided training to judicial officials on the differences between labor trafficking and other related crimes. (1,7) However, the number of labor inspectors is likely insufficient for the size of Argentina’s workforce, which includes approximately 17.7 million workers. According to the ILO’s technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Argentina should employ roughly 1,200 labor inspectors. (86) The government does not report on the number of provincial inspectors, so the totals reflect only the number of federal inspectors; NGOs continue to report the number is insufficient. (7,70) The Secretariat of Labor is also unable to provide information regarding the number of penalties because it does not have an integrated national/provincial-level system for collecting such data from the provinces or CABA, which report child labor violations. (7)

The Secretariat of Labor’s inspection protocol requires that federal labor inspectors notify the relevant provincial child protection authorities after detecting a child labor violation. (7) Labor inspectors are also required to file a criminal complaint with the provincial courts of the relevant jurisdiction for any child labor violation detected. (7,12) The government reports that, in 2018, in every child labor case detected, children were referred to the relevant Provincial Commission for the Eradication of Child Labor (COPRETI), the local interagency authorities responsible for coordination of social services for children rescued from child labor. (7) During the reporting period, Argentine authorities removed 25 children from child labor stemming from 21 complaints. (7)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Argentina 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 insufficient human resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (12)	Yes (7)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (12)	Yes (7)
Refresher Courses Provided	Yes (12)	Yes (7)
Number of Investigations	869‡ (12)	Unknown (7)
Number of Violations Found	Unknown	Unknown (7)
Number of Prosecutions Initiated	Unknown	8 (7)
Number of Convictions	2 (12)	10 (7)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (12)	Yes (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (7)

‡ Data are from January 1, 2017 to August 31, 2017.

Santa Fe Province courts rendered the first ever criminal conviction for child labor in Argentina during the reporting period. The case began in 2016 following a provincial labor inspection that discovered child labor involving at least six minors at a blueberry farm. (7) The provincial court rendered a 1 year conditional sentence for the couple operating the farm, providing the defendants would serve prison time if they failed to comply with 2 years of probationary oversight by the Provincial Office of Post-Prison Control and Assistance. (7) PROTEX reported three labor trafficking cases involving nine minors in 2018, seven of whom were Bolivian. Defendants in all three cases were indicted. (7,71) Prosecutors’ offices from around the country also informed PROTEX of three criminal cases involving sex trafficking of minors that resulted in indictments. (7) However, the total number of federal and provincial investigations and prosecutions involving the worst forms of child labor is unknown. (7)

The Secretariat of Labor issued new guidance and standardized electronic forms for national labor inspections,

Argentina

SIGNIFICANT ADVANCEMENT

which are designed to assist labor inspectors and ensure the inspection lays a documentary foundation for administrative sanctions, criminal investigation, and social services for victims. (7) As part of the Argentine government's ongoing efforts to implement the National Labor Regularization Plan (Plan Nacional de Regularización del Trabajo), both PROTEX and the Secretariat of Labor published guides that serve as resources for investigators and justice sector officials for understanding and applying legislation that criminalizes human trafficking and child labor. (7,87,88)

National authorities were unable to provide information about the budget for labor investigations. Argentine law enforcement authorities report a lack of funding and resources. (7) UNHCR identified the need for the government to build the capacity of its judiciary and police to investigate cases of human trafficking and commercial sexual exploitation, including those involving children, and recommended that the government increase funding for shelters and assist girl victims of human trafficking and commercial sexual exploitation. (89)

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 coordination among agencies to provide services to child victims of commercial sexual exploitation.

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

Coordinating Body	Role & Description
National Commission for the Eradication of Child Labor (CONAETI)	Coordinates national efforts to monitor and eliminate child labor and implement the National Plan for the Prevention and Eradication of Child Labor. (90-93) Led by the Secretariat of Labor and re-established in 2016 to comprise 16 government agencies, representatives from UNICEF, the ILO, industry associations, and labor unions. (85,94-96) In November 2018, hosted officials from the 24 provincial COPRETI for training and exchanges of best practices. (7) Also held a conference in November 2018 to host officials from the 24 provincial COPRETI for training and exchanges of best practices, increasing coordination activities between national and provincial authorities. (7)
Provincial Commissions for the Eradication of Child Labor (COPRETI)	Coordinates efforts to prevent and eliminate child labor at the provincial level, including through Local Roundtables on Child Labor at the municipal level. (95,97,98) Comprises representatives from government agencies, NGOs, labor unions, and religious institutions. (95,97) Held various trainings and outreach activities throughout the reporting period and established additional offices in the Provinces of Santa Cruz and Chubut, creating a total of 24 commissions throughout the country. (7,99-100)
National Secretariat for Childhood, Adolescence, and Family (SENAF)	Establishes public policies through its Childhood and Adolescence Protectorate to secure the rights of children and adolescents, coordinate child protection efforts with other government ministries and NGOs, and assist human trafficking victims. Overseen by the restructured Ministry of Health and Social Development. (101) Operates an assistance hotline to field anonymous complaints regarding any violations of children's rights, including child labor. Provided comprehensive assistance to 47 victims, both adults and children, during the reporting period, five of whom were labor trafficking victims. (1)
Coordinating Body for the Prevention of Child Labor and the Regulation of Adolescent Work (COODITIA)	Implements audits to detect child labor and irregular adolescent labor; trains inspectors on auditing and monitoring child and adolescent work; promotes the creation of special inspection units; and provides technical assistance and advice to inspectors. (7) Held training in October 2018 for Mendoza labor inspectors on how to detect signs of labor exploitation. (1)
Child and Adolescent Labor Monitoring Office (OTIA)	Conducts qualitative and quantitative research on child and adolescent labor to provide policy analysis and inform programming to eradicate child labor and regulate adolescent labor. Created through the Undersecretariat of Technical Programming and Labor Studies of the Secretariat of Labor. (91,95,102) The Secretariat of Labor reported that the OTIA now falls under the Ministry of Production and Labor. Its principal activity in 2018 was to publish the final report of the National Survey on Children and Youth Activities (EANNA). (103)
Programa Andares (Coordinating Unit for Children and Adolescents in Danger of Commercial Sexual Exploitation)	Provides guidance to relevant institutions; runs workshops and research programs on commercial sexual exploitation; and assists children, adolescents, and their families. Formed within the Ministry of Justice and Human Rights. (104,105) Program was active during the reporting period. (103,106)
Federal Council to Fight Human Trafficking and to Protect and Assist Victims	Coordinates government-wide efforts to combat human trafficking. Comprising representatives from the three branches of government and NGOs. (106) Presided over by the Undersecretary for Access to Justice of the Ministry of Justice and Human Rights. (6,85) Led by the Ministry of Justice and Human Rights and oversees five thematic working groups. (12) Held four meetings during the reporting period and approved the Biennial National Plan against Human Trafficking and Exploitation, and for Protection and Assistance of Victims (TIP Action Plan 2018–2020) (1)

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

Coordinating Body	Role & Description
Executive Council to Fight Human Trafficking and to Protect and Assist Victims	Coordinates executive branch efforts to combat human trafficking. Comprising representatives of the Ministries of Justice and Human Rights, Security, and Social Development, and the Secretariat of Labor. (107) Conducted awareness campaign on social media and held several video conference trainings on human trafficking during the reporting period. (1)
Network of Businesses Against Child Labor	Formed through a partnership of the Ministry of Production and Labor, the Secretariat of Labor, CONAETI, and the businesses that comprise it, the network develops initiatives to raise awareness of child labor and programs to prevent and eradicate child labor. (7,90,108) The network held awareness raising campaigns in 2018 to increase business membership and strengthen cooperation between provincial businesses and their local COPRETI. (7)

The Federal Council to Fight Human Trafficking and Assist Victims held four meetings in Neuquén, Misiones, Mendoza, and Chubut Provinces and drafted its first-ever annual report in 2018, which includes information on victim assistance services. (1) The Secretary of Tourism developed training in the prevention of sexual exploitation, child labor, and human trafficking to promote the implementation of a Code of Conduct for the tourism sector. (1,106) Civil society groups report, however, that coordination to provide services to child victims of commercial sexual exploitation is ineffective, causing program proposals to remain in the implementation state, and some programs' objectives and target groups to overlap. (109)

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 a lack of information on activities taken under each policy during the reporting period.

Table 9. Key Policies Related to Child Labor

Policy	Description
Third National Plan for the Prevention and Eradication of Child Labor and the Regulation of Adolescent Work (2018–2022)†	Aims to prevent and eliminate child labor, including its worst forms, and to regulate adolescent work. Promotes the dissemination of information on child labor, strengthens the COPRETI and creates local roundtables on child labor, promotes families' livelihoods, strengthens the labor inspectorate, fosters civil society engagement on child labor issues, provides for a more inclusive educational system, raises awareness of the safety and health implications of child labor, and promotes institutional and legislative strengthening for child labor issues. (12,110-113)
Strategic Framework for Cooperation Between Argentina and the UN System for Development (2016–2020)	Establishes development priorities for Argentina as agreed upon by the government and the agencies comprising the UN System for Development in Argentina. Comprises five areas for cooperation, including the expansion of social protection support and the promotion of inclusive and sustainable economic growth, which prioritizes the prevention and elimination of child labor and forced labor, and the protection of adolescent workers. (114) The government did not provide information on activities taken under this policy in 2018 for inclusion in this report.
Inter-agency Agreement for Prevention of Child Labor and Protection of the Adolescent Worker	Collaborative agreement between the Secretariat of Labor and the Ministry of Education to integrate child labor prevention and protection of adolescent workers in curricula and teacher training courses. (12,115) The government did not provide information on activities taken under this policy in 2018 for inclusion in this report.
Biennial National Plan against Human Trafficking and Exploitation, and for Protection and Assistance of Victims (TIP Action Plan 2018–2020)†	Approved unanimously August 10, 2018 by the Federal Council to Fight Human Trafficking and to Protect and Assist Victims, focuses on prevention, prosecution, and protection of human trafficking victims and fortifying inter-agency coordination. (1,116) The Executive Committee will serve as its implementer and the Federal Council will monitor compliance every 6 months. (1) The plan focuses on prevention, prosecution, and protection of human trafficking victims and incorporates an institutional goal of fortifying inter-agency coordination, including by establishing a unified database on human trafficking victims. (1) The government did not allocate a special budget for the TIP Action Plan, but encouraged relevant agencies to make itemized provisions in their budgets to meet the plan's goals, which NGOs and civil society see as a major obstacle to the plan's implementation. (1)

Argentina

SIGNIFICANT ADVANCEMENT

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
National Plan of Action on Human Rights (2017–2020)	Contains over 200 actions to apply government policies in various areas, including the prevention and restitution of rights for children and adolescents exposed to violence, commercial sexual exploitation, human trafficking, and child labor. (117,118) Under the Human Rights Plan in 2018, the government created a national plan to protect the human rights of people of African descent, the First National Committee for the Prevention of Torture, the First Cultural Center for Migrants and Refugees, and approved the National Action Plan for the Prevention, Assistance, and Eradication of Violence Against Women. (119)

† 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. (120)

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 in the agricultural sector to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Universal Child Allowance Program (Asignación Universal)†	Government program funded in part by the World Bank that provides a cash transfer to unemployed parents and workers in the informal economy, contingent upon parents' fulfillment of health and education requirements for their children. (95,121) In 2018, the Argentine government increased the program's allowance to keep pace with inflation. (7,122)
RENATRE Awareness-Raising Campaigns†	RENATRE campaigns raise awareness of child labor in agriculture and inform families and children of the right to education. (103,123) Activities in 2018 included signing agreements with regional governments to improve education in rural areas, training both adolescents and adults on labor rights, and participating in working groups to address child labor and human trafficking. (124-127)
Secretary of Labor, Employment, and Social Security - Ministry of Production and Labor - CONAETI Awareness-Raising Campaigns†	CONAETI/Network of Businesses Against Child Labor campaigns that make businesses and the general public aware of child labor in sourcing and supply chains. (6,108) During the reporting period, the Secretariat of Labor requested that "public officials" be included among the participants of awareness raising campaigns, along with businesses and the public. (7)
National Campaign Against Child Labor in Brickmaking†	Developed by the Secretariat of Labor and the Argentine Brickworkers Union (UOLRA) in 2017. (128) Aims to develop policies that improve labor inspections in this sector and better support brickworkers so their children do not have to work. (128,129) The government continued to implement this program during the reporting period, including by hosting a gathering of more than 200 people in the Municipality of Florencio Varela to raise awareness among brickworkers and their families. (7,130)
USDOL-funded Projects	\$3 million Project to Promote Workplace-Based Training for Vulnerable Youth in Argentina (2016–2020), implemented by Centro de Desarrollo y Autogestión (DyA); \$2.9 million Promoting Apprenticeship as a Path for Youth Employment in Argentina, Costa Rica, and Kenya through Global Apprenticeships Network (GAN) National Networks (2016–2019); SafeYouth@Work Project: Building a Generation of Safe and Healthy Workers (2014–2019), an \$11 million global project implemented by the ILO; also awarded in 2018, \$2.5 million Multi-Stakeholder Strategy for Child Labor Elimination in Agriculture in Argentina (2019–2021), implemented by Centro de Desarrollo y Autogestión (DyA); and \$2.5 million «Offside Project»: Improving the Capacity of Labor and Agriculture Stakeholders to Address Child Labor in Agricultural Areas of Argentina Project, implemented by the ILO. Additional information is available on the USDOL website.
Good Harvest Day Care and Future Programs†	COPRETI/Network of Businesses Against Child Labor programs that aim to reduce child labor in the production of crops, in which work is often performed by entire families. Provides child care and recreational activities to children up to the age of 9. (7,12,131) The government expanded the program into new regions during the reporting period, including the Province of Salta, and increased the number of participants. In 2018, more than 1200 children of tobacco families in Salta and Jujuy Provinces participated in activities to end child labor. (71,131-134)
Program to Strengthen Schools in Agricultural Areas†	RENATRE program which includes the Centers for Rural Care and Education (CRECER) and provides infrastructural developments, operating costs, and pedagogical development to rural schools located in agricultural areas where children may be at risk of child labor. (36,135) In February 2018, CRECER was implemented in San Juan, Jujuy, and Salta where children of rural tobacco workers received services. (103)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
More Care = Less Child Labor (Mas Cuidado = Menos Trabajo Infantil)†	Promotes the formulation and execution of local projects that articulate access to care, decent work, and good practices in critical sectors of child labor in the Buenos Aires Province. Involves participation of unions, business leaders, government officials, and civil society. (136) In June 2018, as part of the activities for World Day Against Child Labor, the program organized child care and recreation activities in collaboration with the Cooperative Union of Trash Collectors (Cooperativa Unión de Cartoneros) in the Salta region to discourage child labor in that sector. (137)
Campaign to Report Human Trafficking (La trata no se ve a simple vista)†	Government campaign to raise public awareness of human trafficking and to encourage use of the national human trafficking hotline. (77,138) In 2018, the campaign included a commemorative video for the International Day Against Human Trafficking. (103)
Work is Not for Children†	A child care service funded by the provincial government of Santa Fe since 2010. (12) In June 2018, the program held an awareness-raising event on National Day Against Child Labor for over 150 children, and in August 2018, opened a new center in Santa Rosa de Lima to serve the children of informal trash collectors. (139,140)

† Program is funded by the Government of Argentina.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (6,7,12,19,34,77,141,142)

Reports indicate that the Universal Child Allowance Program has had a positive impact on the reduction of child labor since it began in 2009. (7,143-145) Programs that address child labor in the agricultural sector do not appear to address the full scope of the problem. Additionally, research found no evidence of social programs that specifically target children engaged in street begging and performing, windshield washing, and guarding parked cars.

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 Argentina (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Publish federal and provincial information on the level of funding allocated to the labor inspectorate, the number of child labor penalties imposed that were collected, and the number of criminal investigations and violations found.	2015 – 2018
	Increase the number of labor inspectors responsible for enforcing laws on child labor to meet the ILO's technical advice, and ensure that inspections are conducted in rural areas.	2015 – 2018
	Publish information on the total number of federal and provincial inspectors responsible for enforcing labor laws nationwide.	2017 – 2018
	Publish federal and provincial information on the total number of children removed from child labor nationwide, including whether they received appropriate protective services.	2014 – 2018
	Publish federal and provincial information regarding the adequacy of the budget and resources available to agencies responsible for enforcing criminal laws on the worst forms of child labor.	2014 – 2018
Coordination	Improve government coordination in the provision of services to child victims of commercial sexual exploitation.	2017 – 2018
Government Policies	Publish information on activities taken under key policies to address child labor, forced labor, and human trafficking.	2018
	Allocate a special budget for the Biennial National Plan against Human Trafficking and Exploitation, and for Protection and Assistance of Victims to ensure its implementation.	2018
Social Programs	Expand the coverage and scope of programs that target child labor in the agricultural sector.	2012 – 2018
	Develop specific programs that target child labor in sectors in which child labor is prevalent, including street begging and performing, windshield washing, and guarding of parked cars.	2009 – 2018
	Extend youth employment and vocational training programs to children ages 16 and 17, while ensuring these programs allow children to complete their compulsory schooling.	2015 – 2018

SIGNIFICANT ADVANCEMENT

REFERENCES

- 1 U.S. Embassy- Buenos Aires. Reporting. February 13, 2019.
- 2 Clarin. Narcos, soldaditos rehenes y muerte en uno de los barrios mas peligrosos del GBA. September 30, 2018. https://www.clarin.com/policiales/narcos-soldaditos-rehenes-muerte-barrrios-peligrosos-gba_0_8DZb-Pnqh.html.
- 3 Página 12. Explotación infantil en Salta: Nueve chicos en condiciones inhumanas en una tabacalera. March 10, 2014. <http://www.pagina12.com.ar/imprimir/diario/sociedad/3-241443-2014-03-10.html>.
- 4 Página 12. Chicos explotados. February 28, 2014. <http://www.pagina12.com.ar/diario/sociedad/3-240788-2014-02-28.html>.
- 5 Premici, Sebastián. Esclavos para la papa: Niños, niñas y adolescentes trabajando en la cosecha. Página 12. February 12, 2014. <http://www.pagina12.com.ar/imprimir/diario/economia/2-239656-2014-02-12.html>.
- 6 U.S. Embassy- Buenos Aires. Reporting, January 17, 2017.
- 7 U.S. Embassy- Buenos Aires. Reporting. January 8, 2019.
- 8 Government of Argentina. Encuesta de Actividades de Niños, Niñas y Adolescentes 2016–2017. November 2018. http://www.trabajo.gob.ar/downloads/estadisticas/eanna/eanna_publicacion_2016-2017.pdf.
- 9 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2018. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 10 UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Módulo de Actividades de Niños, Niñas y Adolescentes, 2012. Analysis received January 12, 2018. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 11 Télam. El Renatea detectó casos de trabajo infantil en Chaco y Misiones. April 26, 2014. <http://www.telam.com.ar/notas/201404/60857-el-renatea-detecto-casos-de-trabajo-infantil-en-chaco-y-misiones.html>.
- 12 U.S. Embassy- Buenos Aires. Reporting. January 12, 2018.
- 13 El Litoral. Condena inedita en un caso de trabajo infantil en la provincia. December 14, 2018. https://www.ellitoral.com/index.php/id_um/186050-condena-inedita-en-un-caso-de-trabajo-infantil-en-la-provincia-los-ninos-tenian-entre-12-y-16-anos-politica.html.
- 14 La Nueva. Trabajo infantil: denunciarán penalmente a los productores. February 21, 2014. <http://www.lanueva.com/La-region-/748031/trabajo-infantil--denunciaran-penalmente-a-los-productores.html>.
- 15 Diario 21. Chaco: detectan trabajo infantil y trabajadores en negro en Villa Ángela y San Bernardo. April 25, 2014. http://www.diario21.tv/notix2/noticia/27373_chaco-detectan-trabajo-infantil-y-trabajadores-en-negro-en-villa-aacutengela-y-san-bernardo.htm.
- 16 Hoy Corrientes. Virasoro: detectan trabajo no registrado en campos. October 23, 2014. Source on file.
- 17 Rioja Virtual. Detectan indocumentados y menores trabajando en la cosecha. March 10, 2014. Source on file.
- 18 La Capital. La provincia denunció por trabajo infantil a una empresa productora de arándanos. January 20, 2017. <https://www.lacapital.com.ar/la-provincia-denuncio-trabajo-infantil-una-empresa-productora-arandanos-n1324729.html>.
- 19 Sitio Andino. Contra el trabajo infantil: el desafío de Mendoza y el mundo. June 12, 2015. <http://www.sitioandino.com.ar/n/160660-contra-el-trabajo-infantil-el-desafio-de-mendoza-y-el-mundo/>.
- 20 Ahora Mendoza. Renatea detectó trabajo infantil en la cosecha de cebolla. February 21, 2014. http://www.ahoramendoza.com.ar/nota/1978/agenda.php?dia=1&nuevo_mes=9&nuevo_ano=2015.
- 21 La Izquierda Diario. Denuncian trabajo infantil en Mendoza. March 12, 2017. <https://www.laizquierdadiario.com/Denuncian-trabajo-infantil-en-Mendoza>.
- 22 Página 12. Los chicos que recogen arándanos. January 20, 2017. <https://www.pagina12.com.ar/15318-los-chicos-que-recogen-arandanos>.
- 23 Ayuso, María. ¿Sabías que el mate esconde trabajo infantil? May 12, 2017. La Nación. <http://www.lanacion.com.ar/2022827-sabias-que-el-mate-esconde-trabajo-infantil>.
- 24 Diario 33. RENATEA detectó en San Pedro a tareferos en condiciones de esclavitud y trabajo infantil. January 2015. Source on file.
- 25 Vera, Valeria. El documental sobre la industria del mate que entristece a Misiones y conmueve al mundo. July 21, 2016. La Nación. <http://www.lanacion.com.ar/1920222-documental-me-gusta-el-mate-sin-trabajo-infantil-misiones-exterior>.
- 26 Datachaco.com. Trabajo infantil: encuentran a menores trabajando en un campo. February 18, 2017. <http://www.datachaco.com/noticias/view/83970>.
- 27 El Ancasti. La AFIP detectó trabajo infantil y no registrados en Salta y Jujuy. March 10, 2018. <https://www.elancasti.com.ar/nacionales/2018/3/10/la-afip-detecto-trabajo-infantil-no-registrados-en-salta-jujuy-364412.html>.
- 28 MisionesOnline. Detectaron trabajo infantil en un yerbal en Capiovi. June 29, 2018. <https://misionesonline.net/2018/06/29/detectaron-trabajo-infantil-yerbal-capiovil/>.
- 29 Telam. Rescataron a un niño de 13 años de un taller textil clandestino. April 9, 2015. <http://www.telam.com.ar/notas/201509/118793-rescate-nino-taller-textil-clandestino-la-matanza.php>.
- 30 Info Gremiales. Trabajo infantil en un taller textil clandestino. September 7, 2015. <http://www.infogremiales.com.ar/trabajo-infantil-en-un-taller-textil-clandestino/>.
- 31 La Nación. Hornos ladrilleros de Allen: empleo informal, viviendas precarias y trabajo infantil detrás del sueño de progresar. December 19, 2016. <http://www.lanacion.com.ar/1968428-hornos-ladrilleros-de-allen-empleo-informal-viviendas-precarias-y-trabajo-infantil-detras-del-sueno-de-progresar>.
- 32 Government of Argentina. Encuesta de Actividades de Ninas, Ninos y Adolescentes (EANNA). November 16, 2017. Source on file.
- 33 Brondo, Héctor. Cruzada de ladrilleros contra el trabajo infantil. La Voz. February 17, 2017. Source on file.
- 34 Loja, Matías. El trabajo que no educa y refuerza la pobreza. June 10, 2017. La Capital. <https://www.lacapital.com.ar/educacion/el-trabajo-que-no-educa-y-refuerza-la-pobreza-n1413374.html>.
- 35 U.S. Embassy- Buenos Aires. Reporting. January 23, 2015.
- 36 U.S. Embassy- Buenos Aires. Reporting. February 17, 2016.
- 37 IOM. Lucha Contra el Trabajo Infantil Cartonero en la Villa 31 y 31 Bis de Retiro - Buenos Aires. Accessed April 2, 2014. Source on file.
- 38 Los Andes. El trabajo infantil disminuyó en el campo pero creció en las ciudades argentinas. June 8, 2016. <http://losandes.com.ar/article/advierten-que-el-trabajo-infantil-disminuyo-en-el-campo-pero-crecio-en-las-ciudades>.
- 39 Fayad, Federico. Trabajo forzoso: el 80% está a cargo de niños. September 7, 2017. Los Andes. <http://www.losandes.com.ar/article/trabajo-forzoso-el-80-esta-a-cargo-de-ninos>.

- 40 U.S. Department of State. 2018 Trafficking in Persons Report Argentina. June 2018.
<https://www.state.gov/reports/2018-trafficking-in-persons-report/argentina/>.
- 41 Diario Popular. Narcos reclutan a “niñas” para vender droga en boliches. February 18, 2017.
<https://www.diariopopular.com.ar/policiales/narcos-reclutan-ninas-vender-droga-boliches-n301421>.
- 42 Diario Popular. Estiman que unos 250 mil chicos “trabajan” para narcos. August 20, 2017.
<https://www.diariopopular.com.ar/policiales/estiman-que-unos-250-mil-chicos-trabajan-narcos-n317723>.
- 43 Lotti, Fiorella. Trabajo infantil en Argentina: sin cifras oficiales desde 2004. June 19, 2017. Noticias.
<http://noticias.perfil.com/2017/06/19/trabajo-infantil-en-argentina-sin-cifras-oficiales-desde-2004/>.
- 44 Parera, Anibal. Las cuentas pendientes en la lucha contra el trabajo infantil. July 14, 2017. El Cronista.
<https://www.cronista.com/especiales/Las-cuentas-pendientes-en-la-lucha-contra-el-trabajo-infantil-20170714-0009.html>.
- 45 Higgs, Joanna. Argentina Has a Problem: Sex Trafficking of Women and Girls. January 24, 2016. PassBlue.
<http://www.passblue.com/2016/01/24/no-longer-hidden-sex-trafficking-of-women-gets-more-attention-in-argentina/>.
- 46 Gonzalez, Juan Manuel. La sacrificada labor de los bolivianos que fabrican ladrillo en Argentina. CDR Productora. September 7, 2017. Source on file.
- 47 U.S. Embassy- Buenos Aires. Reporting. February 17, 2016.
- 48 U.S. Embassy- Buenos Aires official. Email to USDOL official. June 25, 2018.
- 49 Urien, Paula. Según la OIT, el 59% de los jóvenes en la Argentina son asalariados no registrados. May 26, 2016. La Nación.
<http://www.lanacion.com.ar/1902675-segun-la-oit-el-59-de-los-jovenes-en-la-argentina-son-asalariados-no-registrados>.
- 50 Bertranou, Fabio, and Luis Casanova. Trayectoria hacia el trabajo decente de los jóvenes en Argentina. Contribuciones de las políticas públicas de educación, formación para el trabajo y protección social. ILO. September 2015. Source on file.
- 51 Government of Argentina. Código Penal. Incorpórase artículo N° 148 bis., Trabajo Infantil, 26.847. Enacted: March 20, 2013.
<http://www.infoleg.gov.ar/infolegInternet/anexos/210000-214999/210491/norma.htm>.
- 52 Government of Argentina. Ley de Protección Integral de Derechos de las Niñas, Niños y Adolescentes, Ley 26.061. Enacted: September 28, 2005.
https://www.oas.org/dil/esp/Ley_de_Proteccion_Integral_de_los_Derechos_de_las_Ninas_Ninos_y_Adolescentes_Argentina.pdf.
- 53 Government of Argentina. Régimen Especial de Contrato de Trabajo para el Personal de Casas Particulares, Ley 26.844. Enacted: March 13, 2013.
https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---ilo-buenos_aires/documents/presentation/wcms_229195.pdf.
- 54 Government of Argentina. Prohibición del Trabajo Infantil y Protección del Trabajo Adolescente, Ley 26.390. Enacted: June 4, 2008.
http://trabajo.gob.ar/downloads/coc/faq_prohib_trab_inf.pdf.
- 55 Government of Argentina. Régimen de Trabajo Agrario, Ley 26.727. Enacted: December 27, 2011. Source on file.
- 56 Government of Argentina. Ley de Contrato de Trabajo, Ley 20.744. Enacted: May 13, 1976 (updated).
<http://www.infoleg.gov.ar/infolegInternet/anexos/25000-29999/25552/textact.htm>.
- 57 Government of Argentina. Decreto 1117/2016 - Determinanse los tipos de trabajo que constituyen trabajo peligroso para menores. Enacted: October 20, 2016.
http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102906/124616/F678984966/decreto_1117_de_2016_ARGENTINA.pdf.
- 58 Government of Argentina. Constitución de 1994. Enacted: 1994.
<http://pdba.georgetown.edu/constitutions/argentina/argen94.html>.
- 59 Government of Argentina. Prevención y Sanción de la Trata de Personas y Asistencia a Sus Víctimas (Modificaciones), Ley 26.842. Enacted: December 26, 2012.
<http://www.infoleg.gov.ar/infolegInternet/anexos/205000-209999/206554/norma.htm>.
- 60 Government of Argentina. Delitos contra la integridad sexual. Modificación, Ley 25.087. Enacted: April 14, 1999.
<http://servicios.infoleg.gob.ar/infolegInternet/anexos/55000-59999/57556/norma.htm>.
- 61 Government of Argentina. Código Penal de la Nación Argentina, Ley 11.179. Enacted: 1984 (actualizado).
<http://servicios.infoleg.gob.ar/infolegInternet/anexos/15000-19999/16546/textact.htm>.
- 62 Government of Argentina. Tenencia y Tráfico de Estupefacientes, Ley 23.737. Enacted: October 11, 1989.
http://www.cicad.oas.org/Lavado_Activos/ESP/LeyesLavado/Argentina/Ley23.737AR.doc.
- 63 Government of Argentina. Ley del Servicio Militar Voluntario, Ley 24.429. Enacted: January 5, 1995. Source on file.
- 64 Government of Argentina. Ley 26.200 de Implementación del Estatuto de Roma. Enacted: January 5, 2007.
<http://www.derechos.org/nizkor/arg/doc/ley26200.html>.
- 65 Government of Argentina. Ley de Educación Nacional, Ley 26.206. Enacted: December 14, 2006.
<https://www.argentina.gob.ar/sites/default/files/ley-de-educ-nac-58ac89392ea4c.pdf>.
- 66 Ministerio de Educación. El sistema educativo. Accessed July 31, 2015. Source on file.
- 67 Government of Argentina. Ley de Educación Inicial, Ley 27.045. Enacted: December 23, 2014.
<http://nuestraescuela.educacion.gov.ar/bancoderecursos/media/docs/bloque03/normativas/Ley-27045-Educacion-Inicial.pdf>.
- 68 Child Soldiers International. Louder than Words: An agenda for action to end state use of child soldiers: Appendix II: Data Summary on Recruitment Ages of National Armies. London 2012. Source on file.
- 69 Ministerio de Trabajo Empleo y Seguridad Social. Coordinación de Prevención del Trabajo Infantil y Protección del Trabajo Adolescente. Accessed December 9, 2015. Source on file.
- 70 U.S. Embassy- Buenos Aires official. Email communication to USDOL official. February 5, 2019.
- 71 Registro Nacional de Trabajadores y Empleadores Agrarios (RENATEA). Qué es RENATEA? Accessed April 5, 2015. Source on file.
- 72 Ministerio de Justicia y Derechos Humanos. Guía de Derivaciones - Trabajo. Accessed January 13, 2014.
<http://www.jus.gob.ar/atencion-al-ciudadano/guia-de-derivaciones/trabajo.aspx>.
- 73 Ministerio de Justicia y Derechos Humanos. Oficina de Rescate y Acompañamiento a Personas Damnificadas por el Delito de Trata de Personas. Accessed December 10, 2015.
<http://www.jus.gob.ar/areas-tematicas/trata-de-personas/oficina-de-rescate-y-acompanamiento.aspx>.
- 74 Ministerio de Justicia y Derechos Humanos. El Gobierno nacional profundiza la lucha contra la trata de personas con la apertura de oficinas regionales. October 19, 2015.
<http://www.jus.gob.ar/prensa/noticia.aspx?id=2072>.
- 75 Ministerio de Justicia y Derechos Humanos. El Ministerio inauguró una nueva oficina regional de Trata en Mendoza. September 8, 2015.
<http://www.jus.gob.ar/prensa/noticia.aspx?id=2021>.
- 76 U.S. Embassy- Buenos Aires. Reporting. February 22, 2017.
- 77 Government of Argentina. Resolución PGN No. 805/13. Enacted: April 30, 2013.
<http://www.mpf.gov.ar/resoluciones/pgn/2013/PGN-0805-2013-001.pdf>.

SIGNIFICANT ADVANCEMENT

- 78 Ministerio Público Fiscal. Procuraduría de Trata y Explotación de Personas (PROTEX) Institucional. Government of Argentina. Accessed January 13, 2014. Source on file.
- 79 Ministerio Público Fiscal - Procuraduría de Trata y Explotación de Personas (PROTEX). Trata Laboral en Argentina: El tratamiento judicial de los casos en el fuero federal. 2014. http://fiscuales.gob.ar/trata/wp-content/uploads/sites/2/2014/02/Informe_Trata_laboral_en_Arg_Genero.pdf.
- 80 U.S. Embassy- Buenos Aires. Reporting. February 28, 2018.
- 81 Ministerio del Interior y Transporte. Dirección Nacional de Migraciones. Accessed January 12, 2014. Source on file.
- 82 Government of Argentina. Rescatamos a 75 víctimas de explotación laboral en La Matanza y desbaratamos una red de trata. November 21, 2018. <https://www.argentina.gob.ar/noticias/rescatamos-75-victimas-de-explotacion-laboral-en-la-matanza-y-desbaratamos-una-red-de-trata>.
- 83 Administración Federal de Ingresos Públicos. Fiscalizaciones, Inspecciones y Verificaciones. Accessed January 14, 2014. <http://www.afip.gov.ar/inspecciones/>.
- 84 U.S. Embassy- Buenos Aires official. Email communication to USDOL official. June 19, 2018.
- 85 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 86 Ministerio de Publico Fiscal. Guia La trata de personas con fines de explotación laboral. December 2017. https://www.mpf.gob.ar/protex/files/2018/02/Informe_Protex_Trata_de_personas_2018.pdf.
- 87 Ministerio de Trabajo, Empleo y Seguridad Social. Guia Para la Interpretación del Delito de Trabajo Infantil. May 2018. Source on file.
- 88 UN Human Rights Council. Compilation on Argentina: Report of the Office of the United Nations High Commissioner for Human Rights. August 28, 2017: A/HRC/WG.6/28/ARG/2. Source on file.
- 89 UNICEF Argentina- Protección de Niños Niñas y Adolescentes. Trabajo Infantil, UNICEF. Accessed January 14, 2014. http://www.unicef.org/argentina/spanish/protection_25973.htm.
- 90 Ministerio de Trabajo y Seguridad Social, Observatorio de Trabajo Infantil y Adolescente. Manual para la constitución del observatorio regional sobre trabajo infantil y adolescente. Accessed February 2, 2014. Source on file.
- 91 Ministerio de Trabajo, Empleo y Seguridad Social. Comisión Nacional para la Erradicación del Trabajo Infantil (CONAETI), Government of Argentina. Accessed January 14, 2014. <http://www.trabajo.gov.ar/conaeti/>.
- 92 Ministerio de Trabajo Empleo y Seguridad Social. Relanzamiento de la Comisión Nacional para la Erradicación del Trabajo Infantil. Accessed December 27, 2016. Source on file.
- 93 U.S. Embassy- Buenos Aires official. Email communication to USDOL official. May 4, 2017.
- 94 Bertranou, Fabio, et al. Instituciones laborales y políticas de protección social para la erradicación del trabajo infantil en Argentina. Buenos Aires. February 2015: Serie Documentos de Trabajo 9. ILO. http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/publication/wcms_355082.pdf.
- 95 Government of Argentina. Campaña de Concientización contra el Trabajo Infantil. January 31, 2017. http://www.trabajo.gov.ar/noticia.asp?id_seccion=327&id_nvd=4146.
- 96 Ministerio de Trabajo Empleo y Seguridad Social. Comisiones Provinciales (COPRETI). Accessed January 14, 2014. <http://www.trabajo.gov.ar/conaeti/copreti.asp>.
- 97 Ministerio de Trabajo. Mesas Locales para la Erradicación del Trabajo Infantil. Source on file.
- 98 La Opinion Austral. Crean la Comisión Provincial de prevención y erradicación del trabajo infantil. November 30, 2018. <https://laopinionaustral.com.ar/crean-la-comision-provincial-de-prevencion-y-erradicacion-del-trabajo-infantil/>.
- 99 El Diario. Chubut creo la Comisión Provincial para la Erradicación del Trabajo Infantil. June 5, 2018. <https://www.eldiariodemadryn.com/2018/06/chubut-creo-la-comision-provincial-para-la-erradicacion-del-trabajo-infantil/>.
- 100 El Cronista. Así quedó el Gabinete, tras el decreto con los nuevos ministerios. September 5, 2018. <https://www.cronista.com/economiapolitica/Asi-quedo-el-Gabinete-tras-la-publicacion-del-decreto-con-los-cambios-20180905-0038.html>.
- 101 Ministerio de Trabajo Empleo y Seguridad Social. ¿Qué es el Observatorio de Trabajo Infantil y Adolescente? Accessed February 2, 2014. Source on file.
- 102 U.S. Embassy- Buenos Aires official. Email communication to USDOL official. June 21, 2019.
- 103 Ministerio de Justicia y Derechos Humanos. Guía de Derivaciones - Niñez y Adolescencia. Accessed January 13, 2014. Government of Argentina. <http://www.jus.gob.ar/atencion-al-ciudadano/guia-de-derivaciones/ninez-y-adolescencia.aspx>.
- 104 Government of Argentina_CABA. Guía de recursos para niñas, niños y adolescentes 2018. 2018. Source on file.
- 105 Government of Argentina. Informe Anual Consejo Federal Para la Lucha Contra la Trata. 2018. https://www.hcdn.gob.ar/prensa/noticias/noticias-podio/noticias_0846.html
- 106 U.S. Embassy- Buenos Aires. Reporting. March 3, 2015.
- 107 Ministerio de Trabajo, CONAETI. Red de Empresas contra el Trabajo Infantil. Accessed March 9, 2016. http://www.trabajo.gov.ar/conaeti/red.asp?id_seccion=487.
- 108 Comité Argentino de Seguimiento y Aplicación de la Convención sobre los Derechos del Niño. FOURTH PERIODIC REPORT ON THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD BY VIRTUE OF ARTICLE 44. 2017. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT/CRC/NGO/ARG/28150&Lang=en.
- 109 Ministerio de Trabajo, CONAETI. Plan Nacional para la Prevención y Erradicación del Trabajo Infantil y la Protección del Trabajo Adolescente, 2016-2020. November 2015. http://www.trabajo.gov.ar/downloads/difusion/151202_Plan_Nac_Err_TI_2016-2020.pdf.
- 110 Azuaje, Miguel. Argentina: Misiones lidera la lucha contra el trabajo infantil. Accessed January 26, 2018. Segundo Enfoque. <http://segundoenfoque.com/argentina-misiones-lidera-la-lucha-trabajo-infantil-2017-11-21>.
- 111 Government of Argentina. Plan Nacional para la Prevención y Erradicación del Trabajo Infantil y Protección del Trabajo Adolescente (2018-2022). November 2017. Source on file.
- 112 Ministerio de Trabajo. Tercer Plan Nacional Contra el Trabajo Infantil. December 2, 2015. Source on file.
- 113 Naciones Unidas-Argentina. Marco Estratégico de Cooperación del Sistema de Naciones Unidas para el Desarrollo, República Argentina, 2016-2020. 2015. <http://www.onu.org.ar/wp-content/uploads/MECNUD-ARGENTINA-2010-2016.pdf>.
- 114 Government of Argentina. Acta acuerdo entre el Ministerio de Trabajo, Empleo y Seguridad Social de la Nación y el Ministerio de Educación. June 12, 2017. Source on file.
- 115 El Cronista. Macri lanzo un plan para la lucha contra la trata de personas. July 31, 2018. <https://www.cronista.com/economiapolitica/Macri-lanzo-un-plan-para-la-lucha-contra-la-trata-de-personas-20180731-0024.html>.

- 116 Government of Argentina. Los derechos humanos son compromiso de todos los argentinos. December 12, 2017. <https://www.casasosada.gov.ar/slider-principal/41464-macri-los-derechos-humanos-son-un-compromiso-de-todos-los-argentinos>.
- 117 Government of Argentina. Primer Plan Nacional de Acción en Derechos Humanos (2017 - 2020). 2017. <https://www.argentina.gov.ar/derechoshumanos/plan-nacional-accion>.
- 118 Government of Argentina. Plan Nacional de Acción en Derechos Humanos_Compromisos Cumplidos 2018. 2018. Source on file.
- 119 Ministerio del Interior de Colombia. Colombia y Argentina comprometidos en la lucha contra la trata de personas. July 8, 2014: Press Release. <http://www.mininterior.gov.co/sala-de-prensa/noticias/colombia-y-argentina-comprometidos-en-la-lucha-contra-la-trata-de-personas>.
- 120 U.S. Embassy- Buenos Aires. Reporting. February 18, 2014.
- 121 Government of Argentina. Decreto Nacional 816/2018 Modificación del Régimen de la Asignaciones Familiares establecido por el Decreto 702/2018. Enacted: September 11, 2018. http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/107311/132031/F-319696678/DECRETO_816_2018_ARGENTINA.pdf.
- 122 U.S. Embassy- Buenos Aires official. Email communication to USDOL official. May 13, 2015.
- 123 RENATRE. REANTRE firmo convenios para mejorar la calidad educativa en el sector rural. October 17, 2018. <https://www.renatre.org.ar/el-renatre-firmo-convenios-para-mejorar-la-calidad-educativa-en-el-sector-rural/>.
- 124 RENATRE. RENATRE brindo una charla informativa a estudiantes de una Escuela Agro-tecnica en Corrientes September 6, 2018. <https://www.renatre.org.ar/el-renatre-brindo-una-charla-informativa-a-estudiantes-de-una-escuela-agrotecnica-en-corrientes/>.
- 125 RENATRE. RENATRE realizo actividades de formacion y articulo acciones de trabajo conjuntas en distintos puntos del pais. August 30, 2018. <https://www.renatre.org.ar/el-renatre-realizo-actividades-de-formacion-y-articulo-acciones-de-trabajo-conjuntas-en-distintos-puntos-del-pais/>.
- 126 RENATRE. RENATRE San Luis participa en mesa interinstitucional para combatir el trabajo informal, el trabajo infantil y la trata. March 26, 2018. <https://www.renatre.org.ar/renatre-san-luis-participa-de-mesa-interinstitucional-para-combatir-el-trabajo-informal-el-trabajo-infantil-y-la-trata/>.
- 127 El Litoral. Campaña para erradicar el trabajo infantil en ladrillerías. May 17, 2017. Source on file.
- 128 Notife. Campaña nacional contra el trabajo infantil. May 15, 2017. <http://notife.com/549340-campana-nacional-contra-el-trabajo-infantil/>.
- 129 Government of Argentina. Jornada de Acceso a Derechos con el Sector Ladrillero. 2018. <http://www.trabajo.gba.gov.ar/index.php/noticias-de-copreti/683-jornada-de-acceso-a-derechos-con-el-sector-ladrillero>.
- 130 Ministerio de Trabajo Empleo y Seguridad Social. Relanzamiento de la COPRETI y el programa Buena Cosecha en Mendoza. Accessed December 27, 2016. http://www.trabajo.gov.ar/descargar.asp?id_nvd=5127&id_lang=1.
- 131 FM 89.9. Otro programa en Salta para erradicar el trabajo infantil. February 21, 2018. <http://www.fm899.com.ar/noticias/campo-11/otro-programa-en-salta-para-erradicar-el-trabajo-infantil-42446>.
- 132 Ministerio de Trabajo Empleo y Seguridad Social. Programa Buena Cosecha. Accessed December 10, 2015. <http://www.trabajo.gov.ar/promoempleo/buenacosecha.asp>.
- 133 GOA_Gobierno de la Provincia de Salta, Argentina. Más de 1200 niños participaron de Programas destinados a la erradicación del trabajo infantil. February 6, 2018. <http://www.salta.gov.ar/prensa/noticias/mas-de-1200-ninos-participaron-de-programas-destinados-a-la-erradicacion-del-trabajo-infantil/57047>.
- 134 RGV Consultora. Trabajo agrario. Programa CRECER (Centros RENATRE de Cuidado y Educación Rural). August 10, 2017. <http://www.rgvconsultora.com.ar/noticias/4558/trabajo-agrario-programa-crecer-centros-renatre-de-cuidado-y-educacion-rural-creacion>.
- 135 Agritotal. Productores de arándanos inauguraron centro infantil. August 23, 2018. <http://www.agritotal.com/nota/36067-productores-de-arandanos-inauguraron-centro-infantil/>.
- 136 Government of Argentina_La Plata. Mas Cuidado_Menos Trabajo Infantil_ En el Reciclado de Residuos. June 2018. <http://www.trabajo.gba.gov.ar/index.php/noticias-de-copreti/685-la-plata-mas-cuidado-menos-trabajo-infantil-en-el-rec>.
- 137 Government of Argentina. La trata no se ve a simple vista. Accessed April 13, 2018. <https://www.argentina.gov.ar/denunciatrata>.
- 138 El Litoral. 35 centros de cuidado infantil. November 2, 2018. <https://www.ellitoral.com/index.php/diarios/2018/11/02/politica/POLI-02.html>.
- 139 Government of Argentina_COPRETI. Folleto El Trabajo no es Cosa de Chicos. Accessed May 10, 2019. <https://www.ilo.org/legacy/spanish/buenos-aires/trabajo-infantil/resource/docs/07-FOLLETO-EL-TRABAJO-NO-ES-COSA-DE-CHICOS.pdf>.
- 140 Expres Diario. La Delegación Formosa del Ministerio de Trabajo realiza campaña para erradicar el trabajo infantil. June 11, 2017. <http://www.expresdiario.com.ar/index.php/locales/item/59024-la-delegacion-formosa-del-ministerio-de-trabajo-realiza-campana-para-erradicar-el-trabajo-infantil>.
- 141 Government of Argentina. Más de 1200 niños participaron de Programas destinados a la erradicación del trabajo infantil. February 6, 2018. <http://www.salta.gov.ar/prensa/noticias/mas-de-1200-ninos-participaron-de-programas-destinados-a-la-erradicacion-del-trabajo-infantil/57047>.
- 142 Rebossio, Alejandro. Argentina reduce el trabajo infantil a la mitad. September 6, 2015. El País. http://internacional.elpais.com/internacional/2015/09/07/actualidad/1441577525_210139.html.
- 143 Ministerio de Trabajo. Encuentro nacional contra el trabajo infantil con intendentes y funcionarios provinciales. August 19, 2015. <https://www.argentina.gov.ar/noticias/encuentro-nacional-contra-el-trabajo-infantil-con-intendentes-y-funcionarios-provinciales>.
- 144 UNESCO, International Institute for Educational Planning, and ILO. Trayectorias Escolares Protegidas en Argentina. Buenos Aires. 2015. <http://www.buenosaires.iipe.unesco.org/sites/default/files/trayectorias-escolares-protgidas.pdf>.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2018, Armenia made a minimal advancement in efforts to eliminate the worst forms of child labor. The government adopted a new program to protect children’s rights. In addition, it continued to pursue labor inspection reform, including establishing the Health and Labor Inspection Body; this body, however, will have limited ability to monitor prohibitions on hazardous child labor. Despite new initiatives to address child labor, Armenia is receiving an assessment of minimal advancement because the government has lacked a functioning labor inspectorate since the 2014 repeal of Article 34 of the Labor Code, which previously established the government’s authority to implement labor legislation and collective agreements. Since that time, the government has lacked a mechanism to monitor, inspect, and enforce child labor laws, including a mechanism with the authority to conduct unannounced inspections. Children in Armenia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. The government lacks a mechanism to coordinate its efforts to address all forms of child labor, including its worst forms. In addition, no government programs exist to aid children engaged in work activities in agriculture.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Armenia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-6) Children also perform dangerous tasks in agriculture. (1,2,7-12) Table 1 provides key indicators on children’s work and education in Armenia.

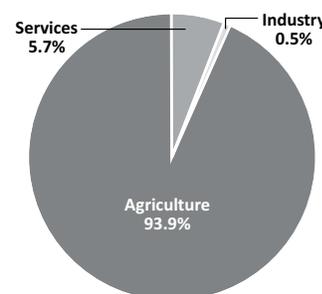
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	7.0 (24,602)
Attending School (%)	5 to 14	95.4
Combining Work and School (%)	7 to 14	8.6
Primary Completion Rate (%)		91.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (13)

Source for all other data: International Labor Organization’s analysis of statistics from National Child Labor Survey, 2015. (14)

Figure 1. Working Children by Sector, Ages 5-14



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	Farming, including planting and harvesting potatoes (7-12)
	Raising livestock, including cattle breeding, cattle herding, and shepherding (7,1,9,10,16)
Industry	Construction, activities unknown (9,10,12,13,17)
	Vehicle maintenance (1,10,12)
Services	Selling food (10)
	Street work, including gathering scrap metal, selling flowers, and begging (1,7,9,12)

Armenia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Working in shops (9,10)
	Dancing in clubs (1,9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,3-5,6)
	Forced begging, sometimes as a result of human trafficking (1,3,6)

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

Reports indicate that significant numbers of children, including some below the age of 14, leave school to work in informal sectors in agriculture and construction, and increasing numbers of children are engaged in begging. (17)

Although Article 38 of the Constitution of Armenia and Article 6 of the Law of the Republic of Armenia on Education guarantee free universal education, children from ethnic minority and low-income families continue to have reduced access to education. (18,19) Children of families who travel for seasonal labor and work on farms in remote rural areas are also less likely to be enrolled in school and are vulnerable to the worst forms of child labor, including forced child labor in agriculture. (11)

In addition, the Law on Public Education requires all schools to be inclusive for children with disabilities by 2025. (20,21) However, NGOs report that children with disabilities face difficulty accessing mainstream education due to the inaccessibility of school buildings, lack of community-based support services, and general social stigma against individuals with disabilities. (22,23)

Despite government efforts to decrease institutionalization of children, nearly 3,500 children remain in government boarding schools, orphanages, and special education institutions. (24) These children are more likely to experience physical and psychological violence and are at a higher risk of becoming victims of human trafficking. (15,24) Children living in these institutions are reportedly also vulnerable to exploitation in child labor, including labor within the institutions. (25,26)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Armenia 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 Armenia’s legal framework to adequately protect children from the worst forms of child labor, including definitions of forced labor and light work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Articles 15 and 17 of the Labor Code; Article 57 of the Constitution (19,27)
Minimum Age for Hazardous Work	Yes	18	Article 257 of the Labor Code (27)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Decree on Approval of the List of Occupations and Work That Are Likely to be Heavy and Hazardous for Persons Under the Age of 18 Years, Pregnant Women, and Women Taking Care of a Child under the Age of 1 Year; Articles 140, 148–149, 153, 155, 209, 249, and 257 of the Labor Code (27,28)
Prohibition of Forced Labor	Yes		Article 57 of the Constitution; Article 3 of the Labor Code; Articles 132 and 132.2 of the Criminal Code (19,27,29)
Prohibition of Child Trafficking	Yes		Articles 132 and 132.2 of the Criminal Code (29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 132.2, 166, and 261–263 of the Criminal Code (29)
Prohibition of Using Children in Illicit Activities	Yes		Articles 63, 165, 166.1, and 266 of the Criminal Code (29)
Minimum Age for Voluntary State Military Recruitment	Yes	16‡	Law on Military Service and Status of the Military Servant; Article 11 of the Law on Conscription; Government Decree No. 525-N of April 26, 2012. (30,31, 61)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 11 of the Law on Conscription (31)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 29 of the Law on the Rights of the Child; Articles 165 and 224 of the Criminal Code. (29,32)
Compulsory Education Age	Yes	17	Article 18 of the Law on Education (33)
Free Public Education	Yes		Article 38 of the Constitution; Article 6 of the Law on Education (19,33)

‡ Age calculated based on available information (61)

The Labor Code allows for children ages 14 and 15 to work restricted hours with the permission of a parent or guardian, but does not list specific activities that constitute light work. (27) In addition, the Constitution, Criminal Code, and Labor Code prohibit forced labor, but enforcement of this prohibition may be hindered by the lack of a definition of “forced labor” in Armenian law. (34)

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. (19,27,33)

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, the absence of worksite inspections conducted at the national level in Armenia may impede the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Health and Labor Inspection Body (HLIB)	Enforces limited range of labor laws for persons up to age 18, and for pregnant or breastfeeding women and workers with children under their care. In 2018, the Health Inspection Body was reorganized and renamed the Health and Labor Inspection Body (HLIB). (12,35)
Police	Enforce anti-human trafficking laws. Every Republic of Armenia police unit throughout the country has a designated officer whose portfolio includes human trafficking issues. (12,36) All cases suspected to be human trafficking are referred to the anti-trafficking unit within the national police. (37)
Department of Investigation of Crimes on Human Trafficking and Illegal Drugs within the General Department of Investigation of Particularly Important Cases within the Investigative Committee	Investigates all cases of human trafficking and the commercial sexual exploitation of children referred to the Investigative Committee by the police. (22,37,38)

Armenia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Department on Defending the Rights of Minors and Combating Domestic Violence Within the Police	Identifies and conducts preliminary investigation of crimes in which children are victims or perpetrators. (22,38) Enforces laws against the worst forms of child labor under the General Department of Criminal Intelligence. Refers identified crimes to the Investigative Committee for further investigation. (22)
Anti-Trafficking Unit Within the Police	Identifies and conducts preliminary investigation of crimes related to human trafficking and the commercial sexual exploitation of children through a staff of seven field officers. (36,39) Operates within the Department of Combating High Tech-related (Cyber) Crimes, Human Trafficking, Illegal Migration, and Terrorism of the General Department on Combating Organized Crime. (39) Refers identified crimes to the Investigative Committee for further investigation. (22)
Police Hotline	Receives complaints related to human trafficking and migration issues. (40)

As part of a broader inspection reform agenda, Armenia’s labor inspectorate was abolished in 2013 and the responsibility for conducting labor inspections was transferred to the new State Health Inspectorate, created the same year. (39) In 2014, legislative changes repealed Article 34 of the Labor Code, which had previously established the government’s authority to implement labor legislation and collective agreements. (41) In 2015, subsequent changes to legislation regulating labor inspections left the State Health Inspectorate unable to conduct labor inspections. (34,42) In 2017, continued inspection reform led to the dissolution of the State Health Inspectorate and the creation of the Health Inspection Body, which is tasked with monitoring occupational safety and health standards for employees, along with monitoring a variety of public health standards. (43) In 2018, a law on the State Bodies of Governance Systems came into force changing the Health Inspection Body to the Health and Labor Inspection Body. (44) The Health and Labor Inspection Body has the ability to respond to complaints in relation to legislation protecting workers under the age of 18, but cannot proactively inspect for child labor issues. (45) Additional legislation and regulations need to be passed for the Health and Labor Inspection Body to begin conducting labor inspections. (11) As a result, in 2018 the Health and Labor Inspection Body was unable to enforce child labor laws in Armenia. (12,36)

Labor Law Enforcement

In 2018, the absence of worksite inspections conducted at the national level in Armenia may have impeded the enforcement of child labor laws (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	9 (11)	23 (12)
Inspectorate Authorized to Assess Penalties	Yes (11)	Yes (12)
Initial Training for New Labor Inspectors	Yes (11)	Unknown
Training on New Laws Related to Child Labor	Yes (11)	Unknown
Refresher Courses Provided	Yes (21)	Unknown
Number of Labor Inspections Conducted	0 (21)	0 (12)
Number Conducted at Worksite	0 (21)	0 (12)
Number of Child Labor Violations Found	Unknown	0 (12)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	0 (12)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	0 (12)
Routine Inspections Conducted	No (21)	No (12)
Routine Inspections Targeted	No (21)	No (12)
Unannounced Inspections Permitted	No (11)	No (12)
Unannounced Inspections Conducted	No (11)	No (12)
Complaint Mechanism Exists	Yes (11)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (46)	No (12)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2018, the Health and Labor Inspection Body (HLIB) had 23 labor inspectors. (37) The number of labor inspectors is likely insufficient for the size of Armenia’s workforce, which includes more than 1.5 million workers. According to the ILO’s technical advice of a ratio approaching 1 inspector for every 20,000 workers in transition economies, Armenia would employ about 75 labor inspectors. (47,48)

In Armenia, some labor inspectors are hired as contractors rather than civil servants. (37,50) Civil servants in Armenia must receive training at least once every 3 years and there is no such requirement for contractors. Officials have expressed concern that a high proportion of contracted labor inspectors will negatively impact the overall training and competency of the labor inspectorate over time. (50)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Armenia 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 investigation planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (50)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Unknown
Refresher Courses Provided	Yes (51)	Unknown
Number of Investigations	Unknown	1 (12)
Number of Violations Found	1 (51)	0 (12)
Number of Prosecutions Initiated	1 (21)	1 (12)
Number of Convictions	0 (21)	0 (12)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (11)	Yes (12)

In 2018, the national police investigated six criminal cases on the suspicion of labor trafficking and trained 208 officers on human trafficking and exploitation. (12,36) The Ministry of Labor partnered with the United Methodist Committee on Relief to conduct regional trainings on child trafficking for local government agencies, local police and other interested stakeholders. (36) The government reports that nearly 300 police officers and investigators are engaged in investigations of crimes involving children. (38,52,53)

Child victims found during the course of criminal investigations are referred to the Fund for Armenian Relief Children’s Center, where they are provided with specialized social services. (52)

A source reported that because not all the children who are referred to social service providers by the police are officially registered as victims, official statistics for begging, forced begging, and commercial sexual exploitation may underreport the scope of the problem. (1)

Research found that, although the police work with social service providers when conducting the pre-investigation, the Investigative Committee does not typically work with social service providers to ensure the well-being of the children during the investigation period. (1) In addition, a source reported that law enforcement officials do not receive sufficient specialized training on interviewing child victims of crime, which in some cases can prevent local investigators from collecting sufficient evidence to build a prosecutable case. (1,42) In 2018, the police created specialized interview rooms for cases involving children. (37) The government’s implementation of provisions on victim and witness protection in the Criminal Procedural Code continued to be inadequate, including victim-centered practices relating to prosecution, due to the lack of an appropriate mechanism and insufficient funding for these efforts. (6,36)

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 efforts to address all forms of child labor.

Armenia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

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

Coordinating Body	Role & Description
National Commission on the Protection of Child Rights	Coordinates activities of state bodies responsible for child protection, assists in developing state policy and programs aimed at the protection of children's rights, and assists in developing solutions to new child welfare problems as they arise. Facilitates cooperation between state and local government and NGOs. (53) Research was unable to determine whether the National Commission on the Protection of Child Rights was active during the reporting period.
Ministerial Council to Combat Human Trafficking	Implements, coordinates, and monitors government efforts on trafficking in persons. Chaired by the Deputy Prime Minister. (3,36) In 2018, The Ministerial Council to Combat Human Trafficking and the Inter-Agency Working Group Against Trafficking in Persons continued to implement the 2016–2018 national action plan, published semi-annual and annual reports of its activities, and drafted a subsequent national action plan for 2019–2021. (6,36)
Inter-Agency Working Group Against Trafficking in Persons	Advises, organizes, and implements decisions made by the Ministerial Council to Combat Human Trafficking. Comprising officials from government entities; non-governmental stakeholders participate in regular meetings. Reports to the Ministerial Council. (36) In 2018, the Inter-Agency Working Group Against Trafficking in Persons met regularly and worked with the Ministerial Council to publish semi-annual and annual reports on trafficking in persons issues. (36)

The National Commission on the Protection of Child Rights coordinates government efforts to prevent child begging, and the Ministerial Council to Combat Human Trafficking coordinates government efforts on child trafficking. (3) However, Armenia lacks a mechanism to coordinate efforts to prevent child labor in other forms of street work, the services sector, and agriculture. (17)

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 mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Strategic Program for the Protection of Children's Rights	Includes an Action Plan for 2017–2021 that calls for the development and introduction of oversight and monitoring mechanisms to prevent the involvement of children in the worst forms of child labor. (21) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
2019 Annual Program on Protection of Children's Rights†	Aims to provide social protection for vulnerable children. (12,54)
Concept on Combating Violence Against Children	Defines government priorities for combating violence against children and outlines a list of related activities. Addresses labor exploitation of children, especially in rural communities, and commercial sexual exploitation of children, especially child trafficking. (38) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Plan of Action Against Trafficking in Persons and Exploitation (2016–2018)	Aimed to improve the legal framework and enforcement of legislation related to trafficking in and exploitation of children. Planned activities included developing tools for identification of the worst forms of child labor, and a guide for the proper identification and referral of child trafficking victims. (34,55)

† Policy was approved during the reporting period.

In 2018, the government's Inter-Agency Working Group Against Trafficking in Persons drafted a new National Action Plan on Trafficking in Human Beings (2019–2021) which is currently in the approval process, including review by the Ministerial Council to Combat Human Trafficking. (36)

The UNDAF Plan for Armenia, which focuses on poverty reduction, lacks specific provisions on child labor. (23) In addition, research found that the National Plan of Action Against Trafficking in Persons and Exploitation lacks funding for identified activities and is not actively monitored for progress. (51) Research was unable to determine whether activities were undertaken to implement the oversight and monitoring mechanisms included in the Action Plan for 2017–2021 of the Strategic Program for the Protection of Children's Rights during the reporting period.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

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 problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Country Level Engagement and Assistance to Reduce Child Labor (CLEAR)	USDOL-funded capacity-building project implemented by ILO in 11 countries to build local and national capacity of governments to address child labor. In 2018, a draft hazardous child labor list was developed. (12) Additional information is available on the USDOL website. (57)
Family Benefits Program†	Ministry of Labor and Social Affairs-funded poverty-mitigation program for families with children recorded in the Family Poverty Assessment System. Families receive a monthly payment based on their financial situation, the number of children in the family, and the geographical location of their home. (52) In 2018, poor and extremely poor families with children received benefits on a regular basis; analyses indicated that lack of information about the program may reduce participation rates. (17,58)
UNICEF Country Program for 2016–2020	Seeks to improve child protection systems, including through expanding programs for children in extreme poverty, improving social integration of children with disabilities, and developing a victim-witness protection system. (59) In 2018, the UNICEF Armenia Country Program undertook a Strategic Moment of Reflection (SMR) to analyze the status of the country program implementation and progress. (58)
Day Care Centers‡	Government-supported day care centers that provide alternatives to working children and daytime centers that provide services for children with special needs. (39) Research was unable to determine whether the Day Care Centers were active during the reporting period.
Shelter for Victims of Human Trafficking†	Government shelter co-funded and run by the United Methodist Committee on Relief (UMCOR) that provides medical, psychological, social, and legal services to victims of human trafficking and access to education for children. (4) In 2018, this shelter was operational and assisted 41 individuals, although research was unable to determine how many of these individuals were children. (6)

† Program is funded by the Government of Armenia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (52,60)

Although the Government of Armenia has implemented programs to address child labor, research found no evidence that it has carried out programs to assist children engaged in child labor in street work or in agriculture.

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 Armenia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that Armenian law specifies the types of light work acceptable for children ages 14 to 15.	2014 – 2018
	Facilitate enforcement of labor law by codifying a definition of forced labor.	2016 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Establish a functioning labor inspectorate by ensuring that the legal framework on inspections clearly empowers the Health and Labor Inspection Body to monitor, inspect, and enforce child labor laws. Ensure that the Health and Labor Inspection Body's mandate includes the ability to conduct quality inspections, including targeted, complaint-based, and unannounced inspections; and that data on the number and type of inspections, violations, and penalties are made publicly available.	2017 – 2018
	Make information on the Health and Labor Inspection Body's funding publicly available.	2017 – 2018
	Strengthen labor inspection by increasing the number of labor inspectors to meet the ILO's technical advice and ensuring that labor inspectors are civil servants rather than contractors.	2017 – 2018

Armenia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Protect children by providing law enforcement officials with specialized training on interviewing child victims of crime, by ensuring that law enforcement officials coordinate with social service providers during investigations, and by ensuring that all child victims, including those referred to social services, are counted in official statistics.	2018
	Implement and sufficiently fund a victim-witness protection mechanism for criminal proceedings.	2011 – 2018
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.	2009 – 2018
Government Policies	Integrate child labor elimination and prevention strategies into national policies, including the UNDAF Plan for Armenia.	2011 – 2018
	Ensure that the National Plan of Action Against Trafficking in Persons and Exploitation has sufficient oversight and funding to allow for effective implementation.	2017 – 2018
	Publish information about activities undertaken to implement the Concept on Combating Violence Against Children.	2016 – 2018
	Publish information about activities undertaken to implement the Strategic Program for the Protection of Children's Rights.	2018
Social Programs	Ensure that all children, including children in remote areas, those from low-income families and families that travel for seasonal labor, and those belonging to ethnic minorities, have equal access to education.	2010 – 2018
	Increase efforts to prevent institutionalization of children and to ensure that children currently residing in government institutions are not engaged in child labor.	2015 – 2018
	Ensure that mainstream education is accessible to children with special education needs and children with disabilities by improving the accessibility of the physical infrastructure, expanding community-based support services, and ensuring that social stigmas against disabilities do not prevent children from accessing schools.	2014 – 2018
	Implement programs to address child labor in street work and in agriculture.	2009 – 2018
	Publicize information about the Family Benefits Program to encourage participation by eligible families with children.	2018

REFERENCES

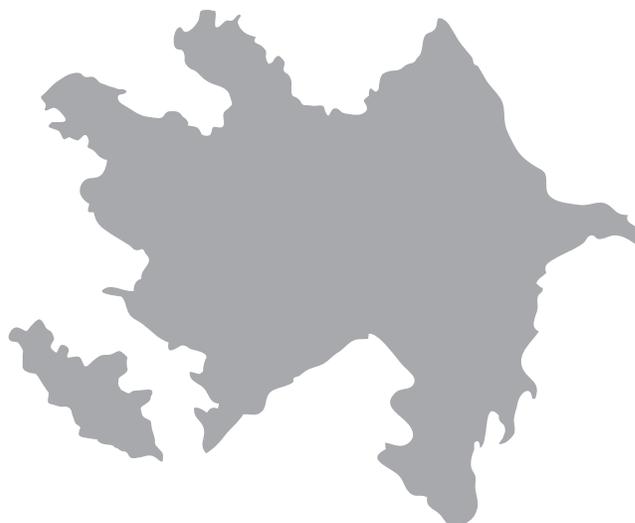
- Mira Antonyan- Director of the Children's Support Center Foundation. Interview with USDOL official. February 26, 2015.
- ILO. Independent Technical Review: Recommendations to Improve Current Strategies to Address Child Labour in Armenia (Draft). 2018. Source on file.
- U.S. Embassy- Yerevan. Reporting, February 28, 2014.
- U.S. Embassy- Yerevan. Reporting, March 3, 2015.
- DeBoer-Buquicchio, M. Report of the Special Rapporteur on the sale of children, child prostitution and child pornography on her visit to Armenia. New York, UN Human Rights Council. February 1, 2016. Report No. A/HRC/31/58/Add.2. <http://www.refworld.org/docid/56dfe0134.html>.
- U.S. Department of State. Trafficking in Persons Report 2019: Armenia. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/armenia/>.
- Word Vision Armenia officials. Interview with USDOL official. February 25, 2015.
- Government of Armenia official. Interview with USDOL official. February 24, 2015.
- OSCE. Forced Labour and Labour Trafficking in Armenia: Pilot Study. Yerevan. 2015. <http://www.osce.org/yerevan/212571?download=true>.
- ILO and National Statistical Service of the Republic of Armenia. Armenia National Child Labor Survey 2015: Analytical Report. Geneva. October 20, 2016. http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_28755/lang-en/index.htm.
- U.S. Embassy- Yerevan. Reporting. January 24, 2018.
- U.S. Embassy- Yerevan. Reporting. February 8, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2018. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Labor Survey, 2015. Analysis received January 12, 2018. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Department of State. Trafficking in Persons Report 2016: Armenia. Washington, DC. June 30, 2016. <https://2009-2017.state.gov/j/tip/rls/tiprpt/countries/2016/258714.htm>.
- UNICEF official. Interview with USDOL official. February 23, 2015.
- Office of Human Rights Defender. Report on Status of Commitments under the Convention on the Right of the Child in Armenia. June 2018. <http://www.ombuds.am/resources/ombudsman/uploads/files/publications/ea776edf03d86e7c680c7f5e75352ade.pdf>.
- U.S. Department of State. Country Reports on Human Rights Practices- 2016: Armenia. Washington, DC. March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/armenia/>.
- Government of Armenia. Constitution of the Republic of Armenia. Enacted: July 5, 1995. <http://www.president.am/en/constitution-2015/>.
- Government of Armenia. Law on General Education. Enacted: 2009. <http://www.arlis.am/DocumentView.aspx?DocID=120940>.
- Government of Armenia. Government of Armenia Response to the 2017 TDA Questionnaire. December 2017. Source on file.
- U.S. Embassy- Yerevan official. Email communication to USDOL official. April 28, 2015.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

- 23 UNDP. Armenia-United Nations Development Assistance Framework 2016–2020. Yerevan. July 31, 2015. http://www.un.am/up/file/Armenia - UNDAF 2016-2020 - eng_arm.pdf.
- 24 Human Rights Watch. When Will I Go Home: Abuses and Discrimination against Children in Institutions and Lack of Access to Quality Inclusive Education in Armenia. February 22, 2017. <https://www.hrw.org/report/2017/02/22/when-will-i-get-go-home/abuses-and-discrimination-against-children-institutions>.
- 25 GRETA. Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Armenia. March 20, 2017. <https://rm.coe.int/16806ff1ad>.
- 26 OSCE. Report by Special Representative and Coordinator for Combating Trafficking in Human Beings. July 5, 2017. <https://www.osce.org/secretariat/328036?download=true>.
- 27 Government of Armenia. Labor Code of the Republic of Armenia. Enacted: November 9, 2004. Source on file.
- 28 Government of Armenia. List of Work Categories Considered Excessive or Harmful for Persons Under the Age of 18, Women Who are Pregnant, and Women Caring for Infants Under the Age of One Year, ROA Official Bulletin 2006.02.01/6(461) Article. 151. Enacted: February 2, 2006. English translation on file.
- 29 Government of Armenia. Criminal Code of the Republic of Armenia. Enacted: April 18, 2003. <https://www.arlis.am/DocumentView.aspx?DocID=125137>.
- 30 Government of Armenia. Law on Military Service and Status of the Military Servant. Enacted: December 16, 2017. <https://www.arlis.am/DocumentView.aspx?DocID=123970>.
- 31 Government of Armenia. Law on Conscription. Enacted: 1998. <http://www.arlis.am/DocumentView.aspx?DocID=117691>.
- 32 Government of Armenia. Law on the Rights of the Child. Enacted: May 29, 1996. <http://www.arlis.am/DocumentView.aspx?DocID=120909>.
- 33 Government of Armenia. Law of the Republic of Armenia on Education. Enacted: April 14, 1999. <http://www.anqa.am/en/about-us/legal-field/laws/law-of-the-republic-of-armenia-on-education/>.
- 34 U.S. Embassy- Yerevan. Reporting, January 13, 2017.
- 35 Government of Armenia. Decision on Approving the Chairman of the Republic of Armenia Health and Labor Inspection Body. Enacted: June 11, 2018. <https://www.arlis.am/DocumentView.aspx?DocID=124384>.
- 36 U.S. Embassy- Yerevan. TIP Reporting, February 20, 2019.
- 37 U.S. Embassy- Yerevan official. Email communication to USDOL official. July 18, 2019.
- 38 U.S. Embassy- Yerevan. Reporting, January 15, 2015.
- 39 U.S. Embassy- Yerevan. Reporting, January 17, 2014.
- 40 U.S. Department of State. Trafficking in Persons Report- 2018: Armenia. Washington, DC. June 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/armenia/>.
- 41 Government of Armenia. Law on Inspection Bodies. Enacted: December 17, 2014. <http://www.arlis.am/DocumentView.aspx?docID=95028>.
- 42 U.S. Embassy- Yerevan. Reporting, February 23, 2017.
- 43 U.S. Embassy- Yerevan. Reporting, January 18, 2018.
- 44 Government of Armenia. State Bodies of Governance Systems. April 9, 2018. English translation on file. <https://www.arlis.am/DocumentView.aspx?DocID=120920>.
- 45 Mejlumyan, Avetik and Tarzyan, Artem. Labour Inspection System in Armenia. November 7, 2017. Source on file.
- 46 U.S. Embassy- Yerevan official. Email communication to USDOL official. June 22, 2018.
- 47 CIA. The World Factbook. Accessed March 18, 2017. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 48 UN. World Economic Situation and Prospects 2012 Statistical Annex. 2012. http://www.un.org/en/development/desa/policy/wesp/wesp_current/2012country_class.pdf.
- 49 ILO. Strategies and Practice for Labour Inspection. November 2006. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 50 Government of Armenia. Government of Armenia Response to the 2016 TDA Questionnaire. Source on file.
- 51 U.S. Embassy- Yerevan. Reporting, February 14, 2018.
- 52 Government of Armenia. Government of Armenia Response to the 2015 TDA Questionnaire. Source on file.
- 53 Government of Armenia. Government Response to the Information request to inform preparation of the U.S. Department of Labor's 2014 annual findings on the Worst Forms of Child Labor. Yerevan.
- 54 Government of Armenia. Government of Armenia Response to 2018 TDA Questionnaire. Source on file.
- 55 Government of Armenia. National Action Plan on Organizing the Fight Against Trafficking in Human Beings and Exploitation in the Republic of Armenia During 2016–2018. Enacted: July 7, 2016. Source on file.
- 56 ILO-IPEC. Global Research on Child Labor Measurement and Policy Development (MAP). Geneva. October 2016. Technical Progress Report. Source on File.
- 57 ILO-IPEC. ILO-IPEC Technical Progress Report CLEAR Global Project. October 2015. Source on file.
- 58 UNICEF. Country Office Annual Report 2018: Armenia. June 18, 2019. https://www.unicef.org/about/annualreport/files/Armenia_2018_COAR.pdf.
- 59 UNICEF. Country Programme Document: Armenia. New York. April 17, 2015. https://www.unicef.org/about/execboard/files/2015-PL7-Armenia_CPD-ODS-EN.pdf.
- 60 World Bank. World Bank Supports Social Service Delivery in Armenia. Accessed November 25, 2014. <http://www.worldbank.org/en/news/press-release/2014/03/24/world-bank-integrated-social-service-delivery-armenia>.
- 61 Government of Armenia. Government Decree No. 525-N, On Approving the Procedures for Admission to Military Training Institutions of the Republic of Armenia and Studying in Foreign Military Training Institutions. Enacted: April 26, 2012. <https://www.arlis.am/DocumentView.aspx?docID=75787>.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2018, Azerbaijan made a minimal advancement in efforts to eliminate the worst forms of child labor. The government approved the State Program on developing official statistics, including on child labor, for 2018–2025 and drafted a new National Action Plan on Combating Trafficking in Persons for 2019–2023. However, despite new initiatives to address child labor, Azerbaijan is receiving an assessment of minimal advancement because it continued to implement a regression in law that delayed advancement in eliminating the worst forms of child labor. In 2017, the government extended a moratorium on all labor inspections through 2021, which will continue to leave potential violations of child labor laws undetected in workplaces. Children in Azerbaijan engage in the worst forms of child labor, including in commercial sexual exploitation. Children also perform dangerous tasks in street work. Legal protections only apply to workers with written employment contracts, leaving self-employed children and children working outside of formal employment relationships vulnerable to exploitation. In addition, research found limited evidence of government programs to address child labor in agriculture, the sector in which child labor is most prevalent.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Azerbaijan engage in the worst forms of child labor, including commercial sexual exploitation. (1-3) Children also perform dangerous tasks in street work. (1,2) In 2017–2018, the government, in collaboration with UNICEF, conducted a survey in two regions of the country, which determined that families use child labor in family businesses. (2,4,5) Table 1 provides key indicators on children’s work and education in Azerbaijan.

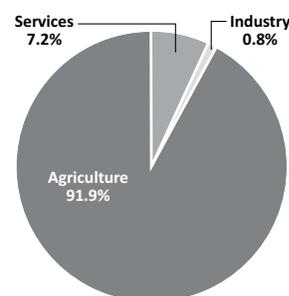
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.5 (70,034)
Working children by sector	5 to 14	
Agriculture		91.9
Industry		0.8
Services		7.2
Attending School (%)	6 to 14	94.3
Combining Work and School (%)	7 to 14	4.9
Primary Completion Rate (%)		107.2

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization’s analysis of statistics from the Child Labor Survey, 2005. (7)

Figure 1. Working Children by Sector, Ages 7-14



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	Farming, including production of cotton, tea, and tobacco† (2,8-12)
Industry	Construction, activities unknown (13)
Services	Street work, including begging and vending (1,2)
	Washing and repairing cars (9,10,13,14)

Azerbaijan

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3,6,7,10,16) Forced begging (1-3,6,7,10,14)

† 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.

Child labor in Azerbaijan occurs in the agriculture sector; however, there are limited data available to indicate how many children are currently engaged in child labor in this or other sectors. (2) To augment family incomes, children under age 15 voluntarily worked alongside their parents picking cotton; however, the prevalence of child labor, as well as the use of forced child labor, if any, is unknown. (23)

Cotton production in Azerbaijan is partially governed by a quota system, which holds regional and local government officials responsible for mobilizing sufficient labor to meet established production targets. (17-21) In 2018, the Azerbaijan State Agricultural University forcibly sent more than 100 students to fields to harvest cotton. (17-22,24-26) Azerbaijani students typically enter university at age 17; however, research did not indicate whether any of these students were children under age 18 at the time they picked cotton. (17-22)

Children in Azerbaijan are subjected to sexual exploitation domestically. (2,3,27) Street children, many of whom become homeless after they are released from government-run orphanages and correctional facilities, and children from marginalized communities are particularly vulnerable to human trafficking. (1-3,27) Children living in border towns and economically depressed rural communities are also especially vulnerable to human trafficking. (2,3,28)

Although Article 5 of the Education Law guarantees free universal education, children with disabilities face difficulty accessing mainstream education. Barriers to education include inaccessibility of the physical infrastructure of schools, and a general social stigma against individuals with disabilities and children from the Roma ethnic community. (2,29) Only an estimated 10 to 17 percent of children with disabilities are able to attend school. The remaining children with disabilities are either educated at home or do not receive an education. (2,29) In addition, children in rural areas have low rates of school attendance. (2) Children not attending school are vulnerable to engaging in child labor.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Azerbaijan 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 Azerbaijan’s legal framework to adequately protect children from the worst forms of child labor, including minimum age for work.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 42 of the Labor Code (30)
Minimum Age for Hazardous Work	Yes	18	Article 250 of the Labor Code (30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 98 and 250–254 of the Labor Code; Decree 58 of the Cabinet of Ministers in 2000; Article 9 of the Law on the Rights of the Child (30-32)
Prohibition of Forced Labor	Yes		Article 35 of the Constitution; Article 144-2 of the Criminal Code (33,34)
Prohibition of Child Trafficking	Yes		The Law on Trafficking in Persons; Articles 106, 144-1, 144-3, and 173 of the Criminal Code (34,35)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 108, 151–152, 171, 171-1, and 242–244 of the Criminal Code (34)
Prohibition of Using Children in Illicit Activities	Yes		Article 28 of the Law on the Rights of the Child; Article 170 of the Criminal Code (32,34)
Minimum Age for Voluntary State Military Recruitment	Yes	19	Article 36 of the Law on Military Obligation and Military Service (36)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 2–3, and 12 of the Law on Military Obligation and Military Service (36)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15	Articles 5 and 19 of the Education Law (37)
Free Public Education	Yes		Article 5 of the Education Law; Article 22 of the Law on the Rights of the Child (32,37)

Azerbaijan’s Labor Code applies only to workers with written employment contracts. (5,30) The government introduced both administrative and criminal penalties in 2014 for employing people without an employment agreement. (8) Although this strengthened protections for working children by attempting to ensure that all working children are employed under a contract, self-employed children and children working outside formal employment relationships, especially children performing work on the streets and child beggars, remain unprotected. (5, 11,38)

Within the framework of the State Program for the Development of Inclusive Education for Children with Disabilities for 2018–2024, amendments to the Law on Education (Special Education) for Persons with Disabilities were introduced to the Cabinet of Ministers and await presidential signature. (27) The amendments include measures on inclusive education involving children with learning disabilities. (5)

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, the absence of worksite inspections conducted at the national level in Azerbaijan may impede the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Protection of Population (MLSP)	Enforces labor laws related to the worst forms of child labor through the State Labor Inspection Service. (2,5)
Ministry of Internal Affairs (MOIA)	Functions as the central executive agency responsible for public security and the prevention of criminal offenses, including child trafficking and begging. (2,5) Through the Anti-Trafficking Division (ATD), enforces human trafficking laws, investigates human trafficking violations, and enforces criminal laws related to the use of children in illicit activities. (2) Refers children who are victims of human trafficking to social services for assistance with school enrollment, participation in recreational activities, and obtaining proper documentation. (2)
Commission on Juvenile Issues and Protection of Minors’ Rights	Coordinates the enforcement of laws related to the worst forms of child labor. Located in the Cabinet of Ministers. (40)

Azerbaijan

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Commissions on Guardianship and Custody	Coordinates the enforcement of child labor laws. Located within the Cabinet of Ministers. (27) The commissions operate locally as part of local executive offices, which are present in each city district. (27,39)
National Referral Mechanism for Trafficking in Persons (NRM)	Refers victims of human trafficking to the relevant authorities to ensure the protection of their rights. (41) Refers human trafficking cases to the ATD for prosecution. (2) Led by the National Coordinator and the Deputy Minister of MIA and counts a large number of government agencies as members, including MLSPP and the State Committee on Family, Women and Children's Affairs. (15)

During the reporting period, sources reported a lack of coordination between law enforcement agencies. (2,3) In addition, the Commissions on Guardianship and Custody did not meet in 2018. (2)

Labor Law Enforcement

In 2018, the absence of worksite inspections conducted at the national level in Azerbaijan may impede the enforcement of child labor laws (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (9)	Unknown (2)
Number of Labor Inspectors	232 (9)	232 (2)
Inspectorate Authorized to Assess Penalties	Yes (9)	Yes (2,4)
Initial Training for New Labor Inspectors	Yes (9)	Yes (2)
Training on New Laws Related to Child Labor	N/A	Yes (2)
Refresher Courses Provided	Yes (9)	Yes (2)
Number of Labor Inspections Conducted	0 (9)	0 (2)
Number Conducted at Worksite	0 (9)	0 (2)
Number of Child Labor Violations Found	1 (9)	5 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	1 (9)	0 (2)
Number of Child Labor Penalties Imposed that Were Collected	0 (9)	0 (2)
Routine Inspections Conducted	No (9)	No (2)
Routine Inspections Targeted	No (9)	No (2)
Unannounced Inspections Permitted	No (9)	No (2,4)
Unannounced Inspections Conducted	No (9)	No (2)
Complaint Mechanism Exists	Yes (9)	Yes (2,4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (29)	Yes (5)

In 2016, as part of a broader anti-corruption drive, the government suspended all routine and unannounced labor inspections. In 2017, this moratorium was extended through 2021. (2) Although the labor inspectorate can sanction businesses for labor violations and inspections may still occur if a formal, written complaint is filed through its Electronic Information System on Notification of Labor Contract, or if a complaint is filed from the Ministry of Internal Affairs (MOIA) through the Prosecutor's Office, no child labor inspections were conducted in 2018. (2,4,5,29) In 2018, the labor inspectorate received five child labor complaints in the catering industry but failed to take further action on these cases. (2)

The number of labor inspectors is likely insufficient for the size of Azerbaijan's workforce, which includes more than 5 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transition economies, Azerbaijan would employ about 256 labor inspectors. (42,43) Government officials also assess the number of inspectors as insufficient to fully enforce child labor laws in Azerbaijan. (39)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

The MOIA provided workshops and trainings on child labor to its investigators, including on the definition of child labor and national legislation to combat child labor. (4,27) However, limited evidence suggests that the institutionalized training program on child labor issues, including hazardous child labor, may be inadequate, because prosecutions, convictions, and sentences of child labor are not robust. (27,39)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Azerbaijan 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 in the referral of victims to appropriate services.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (9)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (9)	Yes (2)
Refresher Courses Provided	Yes (44)	Unknown (2)
Number of Investigations	190 (9)	1,500 (2)
Number of Violations Found	165 (9)	450 (2)
Number of Prosecutions Initiated	124 (9)	0 (2)
Number of Convictions	124 (9)	0 (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	0 (27)	0 (27)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (2)

Investigators receive training as new employees and when the laws change. (3) During 2018, criminal law enforcement officials, including investigators, prosecutors, and judges received training on anti-human trafficking and participated in workshops and conferences on the topic. (3,39) However, government agencies, the IOM, and NGOs reported that additional training is needed specifically on child labor and addressing stereotypes related to victims engaged in commercial sexual exploitation. (2,3)

In 2018, MOIA reported that 450 children were identified as being forced by their parents to beg in the streets; 207 parents were subjected to administrative punishment. (2) Some of the children were removed from the exploitative situations; however, parents forcing their children into begging is not treated as a criminal offense, but rather as a family issue. (2) During the reporting period, the Azerbaijani Children Union referred one case of commercial sexual exploitation to the MOIA for investigation; the status of this case is unknown. (2)

NGOs report that children identified in child labor were not referred to social services and resumed work almost immediately after being identified by law enforcement officials. (29,39) In addition, child labor law enforcement efforts are concentrated in Baku, with limited investigations being undertaken outside of the capital. (27)

In 2016, the government reported that it created a database to collect information on crimes against children, including child trafficking, street work, and begging. (29) In 2018, as in 2017, it did not release any information on the database or any data it has collected. (9,27)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

Research found no evidence that the government has established mechanisms to coordinate its efforts to address child labor. Although the State Committee on Family, Women and Children's Affairs coordinates child-related policies, the committee's success as a coordinating body is limited. (39) The Committee's staff members have reported that they lack the legal authority to give instructions to other government organizations about child labor and child welfare matters, which limits the Committee's ability to harmonize policies across the different agencies. (39)

Azerbaijan

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 8). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 8. Key Policies Related to Child Labor

Policy	Description
State Program on Azerbaijani Youth (2017–2021)	Guides government policy on youth development, and includes a provision on increasing awareness of trafficking in persons risks among youth. (44) In 2018, the Ministry of Youth and Sports organized 183 awareness-raising events for youth, including theater performances, as part of the program. (27,39)
National Action Plan on Combating Trafficking in Human Beings (NAP) (2014–2018)	Aimed to identify and combat the causes of vulnerability to human trafficking in Azerbaijan through improved coordination among government agencies, NGOs, and intergovernmental organizations. Also sought to improve the identification and provision of services to victims. (45) Placed special emphasis on protecting the rights of child victims and preventing child trafficking. (28,45) In 2018, continued to inform the public about human trafficking, especially at border crossings, through the Victim Assistance Center (VAC). (2,3,27) Drafted a new NAP for 2019–2023. (3)
State Program for the Development of Inclusive Education for Children with Disabilities (2018–2024)†	Aims to create inclusive education for children with disabilities. In 2018, made amendments to legislation, ensured participation of children with disabilities in exams, and trained professionals on providing appropriate equipment and education for children. (5) UNICEF monitored the pilot schools in early 2019 to assess the government's success, which yielded promising results. The government plans to expand the program to additional schools in 2019. (5)

† Policy was approved during the reporting period.

Although the Government of Azerbaijan has adopted the National Action Plan on Combating Trafficking in Human Beings (NAP) and the State Program on Azerbaijani Youth, research found no evidence of a policy on other worst forms of child labor, including forced begging or hazardous child labor in agriculture. In addition, the NAP addresses many prior international recommendations, but lacks clear indicators of the source and amount of funding to implement the plan's associated programs, resulting in a lack of funding necessary for full implementation. (39)

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 9). However, gaps exist in these social programs, including with funding.

Table 9. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL-funded projects supporting the elimination of child labor in Azerbaijan include Global Action Program on Child Labor Issues (GAP), implemented in approximately 40 countries by the ILO; and Global Research on Child Labor Measurement and Policy Development (MAP), implemented by the ILO in 11 countries. (46,47) Additional information is available on the USDOL website.
Decent Work Country Program (2016–2020)	Aims to promote decent employment opportunities and improve social protection and labor administration mechanisms. Includes a focus on youth employment. (48) In 2018, seminars were conducted for government employees and youth, including on entrepreneurship training. (27)
Social Shelters and Rehabilitation Centers for Minors†	Government-funded program comprising 13 centers that provide social services to vulnerable children, including street children. (5,49) NGOs reported that the centers are successful in providing services and may contribute to a reduction in child labor. (8) In November 2017, MLSPP opened an additional shelter and rehabilitation center to provide services to vulnerable children. (44) Active in 2018. (2,5)
Resources for Child Trafficking Victims†	The government maintains one shelter for human trafficking victims run by the MOIA. In 2018, the VAC organized 100 awareness-raising events in schools, municipalities, and at border crossings throughout the country. (2,27)
Targeted Social Assistance Program†	MLSPP-run program that provides cash transfers to families. (2) Continued activities in 2018. (39)
MIA Identification Document Program†	Provides identification documents to undocumented minors who may be street children or victims of human trafficking. (8) Continued activities in 2018 by assisting 58 street children, teenagers, and adults with the issuance of ID cards. (27,39)

† Program is funded by the Government of Azerbaijan.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (3,5)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2018, the Government of Azerbaijan approved the State Program for the Development of Official Statistics in the Republic of Azerbaijan in 2018–2025. (5,50) The program aims to improve and further develop the statistics system in the country, including statistics on child labor. (4,5,50)

Although the government has implemented programs to address child trafficking, research found little evidence to indicate that it has carried out programs to assist children working in agriculture.

NGO-run shelters that are tasked by the NAP with providing victim services do not receive consistent funding from the government. (3) Directors of these shelters note that the unpredictable nature of funding prevents long-term planning and capacity building of shelters. (3,44,51) Child victims have limited access to facilities that offer specialized care. (39) One shelter that provides such services does not receive consistent government funding, and most of its staff worked on a voluntary basis due to the lack of government funding and an inability to receive foreign assistance caused by government restrictions. (3,44,51)

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 Azerbaijan (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all working children are protected by law, including children working without a written employment agreement or outside of a formal employment relationship and children who are self-employed.	2011 – 2018
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Ensure that forcing children to beg is treated as a criminal offense.	2018
Enforcement	Resume routine, targeted, and unannounced labor inspections to ensure that child labor laws are enforced.	2016 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2018
	Publish information on the labor inspectorate's funding.	2015 – 2018
	Ensure that labor inspectors, criminal investigators, and prosecutors receive sufficient training on the enforcement of laws pertaining to child labor and commercial sexual exploitation.	2014 – 2018
	Ensure that children are sent to social centers or other services, as appropriate, so they do not return to child labor.	2018
	Ensure that labor law enforcement conducts sufficient child labor investigations outside Baku.	2018
	Publish complete data from the database on crimes against children.	2014 – 2018
Coordination	Increase coordination between law enforcement agencies and ensure that the Commission on Guardianship and Custody meets.	2018
	Establish coordinating mechanisms to combat child labor, including its worst forms.	2016 – 2018
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as forced begging and hazardous work in agriculture.	2016 – 2018
	Ensure the National Action Plan on Combating Trafficking in Human Beings receives the funding necessary for full implementation of associated programs.	2014 – 2018
	Ensure that neither adults, students, nor children are forced to harvest cotton or other crops during the 2019 harvest.	2018
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2018
	Ensure that children with disabilities have equal access to education.	2016 – 2018
	Institute programs to address child labor in agriculture and on the streets.	2009 – 2018
	Ensure that NGO-run shelters for victims of human trafficking are sufficiently and consistently funded to provide services to victims adequately, as dictated by the National Action Plan and National Referral Mechanism for Trafficking in Persons.	2015 – 2018

REFERENCES

- 1 U.S. Department of State. Trafficking in Persons Report- 2018: Azerbaijan. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/azerbaijan/>.
- 2 U.S. Embassy- Baku. Reporting. February 21, 2019a.
- 3 U.S. Embassy- Baku. Reporting. February 21, 2019b.
- 4 Government of Azerbaijan officials. Interview with USDOL officials. June 10, 2019.
- 5 Government of Azerbaijan. Written communication. Submitted in response to USDOL Federal Register Notice (2018). Request for information on efforts by certain countries to eliminate the worst forms of child labor. Source on file.
- 6 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed January 4, 2018. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 7 UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Child Labor Survey, 2005. Analysis received January 12, 2018. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 8 U.S. Embassy- Baku. Reporting. February 12, 2014.
- 9 U.S. Embassy- Baku. Reporting. February 7, 2018.
- 10 Council of Europe. Report submitted by the authorities of Azerbaijan on measures taken to comply with Committee of the Parties Recommendation CP(2014)10 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings. June 28, 2016. <https://rm.coe.int/16806c0681>.
- 11 ILO Committee of Experts. Individual Direct Request concerning Labor Inspection Convention, 1947 (No. 81) Azerbaijan (ratification: 2000) and Labor Inspection (Agriculture) Convention, 1969 (No. 129) Azerbaijan (ratification: 2000) Published: 2017. Accessed November 24, 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3295390:YES.
- 12 Meydan TV. Working for pennies: Life in the fields for seasonal laborers. July 29, 2017. <https://d9mc3ts4czbpr.cloudfront.net/en/article/working-for-pennies-life-in-the-fields-for-seasonal-laborers/>.
- 13 U.S. Embassy- Baku. Reporting, January 15, 2015.
- 14 BBC Monitoring Trans Caucasus Unit. Azerbaijan: Ganca media highlights 25 Sep - 1 Oct 17. October 3, 2017. Source on file.
- 15 U.S. Embassy- Baku. Reporting. February 13, 2014.
- 16 U.S. Embassy- Baku. Reporting. February 21, 2019c.
- 17 Freedom House. Azerbaijan Country Report. 2018. <https://freedomhouse.org/report/nations-transit/2018/azerbaijan>.
- 18 Geybulla, Arzu. The myth around Azerbaijan’s cotton industry revival. Blog. May 2, 2018. flyingcarpetsandbrokenpipelines.blogspot.com/2018/04/the-myth-around-azerbaijans-cotton.html.
- 19 Hromadske International. The True Price of Azerbaijani Cotton. August 17, 2018. https://en.hromadske.ua/posts/the-true-price-of-azerbaijani-cotton?link_id=99&can_id=c012fb00178c3fe81b45b701d3d72a30.
- 20 Jam News. A story from a field of “white gold”: Will cotton save the Azerbaijani economy? February 10, 2018. <https://jam-news.net/a-story-from-a-field-of-white-gold-will-cotton-save-the-azerbaijani-economy/>.
- 21 Talibli, Mahammad. The Land or the future: Does the return of cotton mean a return to socialism? Meydan TV. October 20, 2016. <https://www.meydan.tv/en/article/the-land-or-the-future-does-the-return-of-cotton-mean-a-return-to-socialism/?ref=redirect>.
- 22 Ahmadov, Parviz. Is cotton the answer to Azerbaijan’s oil price woes? Brookings. May 21, 2018 <https://www.brookings.edu/blog/future-development/2018/05/21/is-cotton-the-answer-to-azerbaijans-oil-price-woes/>.
- 23 Azerbaijan Cotton Industry. Azerbaijan cotton-growing: defenseless zone of human rights. April 10, 2019. <https://www.youtube.com/watch?v=-DwV0ManQgA&t=29s>.
- 24 Samsonov, T. Of students - on cotton! Zerkalo.az. October 13, 2018. <https://zerkalo.az/studentov-na-hlopok/>.
- 25 Akhundova, U. Labor exploitation or practice? Zerkalo.az. October 18, 2018. <https://zerkalo.az/ekspluatatsiya-truda-ili-praktika/>.
- 26 Samsonov, T. Black or White? New Details on the Cotton Harvest. Zerkalo.az. November 4, 2018. <https://zerkalo.az/chernym-po-belomu-novye-podrobnosti-hlopkovoj-strady/>.
- 27 U.S. Embassy- Baku official. Email communication to USDOL official. July 18, 2019.
- 28 U.S. Embassy- Baku. Reporting. February 13, 2015.
- 29 U.S. Embassy- Baku. Reporting. January 27, 2017.
- 30 Government of Azerbaijan. Labor Code of the Republic of Azerbaijan, Chapter X, Section 240. Enacted: February 1, 1999. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/54131/65184/E99AZE01.htm#t10>.
- 31 Government of Azerbaijan. Decree of the Cabinet of Ministers of the Republic of Azerbaijan “On approval of list of jobs with difficult and hazardous work conditions, professions as well as underground works where application of labor of children under age of 18 is prohibited.” Decree No. 58. Enacted: March 24, 2000. Source on file.
- 32 Government of Azerbaijan. Law of the Republic of Azerbaijan on the Rights of the Child. May 19, 1998. [Source on file].
- 33 Government of Azerbaijan. Constitution of the Azerbaijan Republic, Article 35. Enacted: November 12, 1995. Source on file. http://www.servat.unibe.ch/icl/aj00000_.html.
- 34 Government of Azerbaijan. Criminal Code of the Azerbaijan Republic, Articles 106 and 173. Enacted: September 1, 2000. <http://www.unhcr.org/refworld/docid/4417f82d4.html>.
- 35 Government of Azerbaijan. Presidential Decree on Enactment of the Law on Trafficking in Persons. Enacted: August 5, 2005. <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=4417f1214>.
- 36 Government of Azerbaijan. Law of The Republic of Azerbaijan on Military Duty and Military Service, Law No. 274-IVQ. Enacted: December 23, 2011. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=89955&p_country=AZE&p_count=180&p_classification=22.10&p_classcount=15.
- 37 Government of Azerbaijan. Education Law of the Republic of Azerbaijan, Law No. 324. Enacted: 1992. Source on file. <https://edu.gov.az/en/page/72/5244>
- 38 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Azerbaijan (ratification: 1992) Published: 2015. Accessed March 8, 2016. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:P13100_COMMENT_ID:3187549.
- 39 U.S. Embassy- Baku official. Email communication to USDOL official. March 15, 2019.
- 40 Government of Azerbaijan. Information Provided by the Azerbaijani Authorities. Submitted with regard to the U.S. Department of Labor Questionnaire on Child Labor and Forced Labor. Baku. January 15, 2014.
- 41 Government of Azerbaijan. “Rules of the National Referral Mechanism on Victims of Human Trafficking,” No. 123. Enacted: August 11, 2009. Source on file.
- 42 CIA. The World Factbook. Cited June 25, 2019. <https://www.cia.gov/library/publications/the-world-factbook/geos/aj.html>.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

- 43 UN. World Economic Situation and Prospects 2012 Statistical Annex. New York. 2012.
http://www.un.org/en/development/desa/policy/wesp/wesp_.
- 44 U.S. Embassy- Baku. Reporting. February 14, 2018.
- 45 Government of Azerbaijan. The National Action Plan for the Years 2014-2018 on Combating Trafficking in Human Beings in Azerbaijan Republic, No. 667. Enacted: July 24, 2014. Source on file.
- 46 ILO-IPEC. Global Action Program on Child Labor Issues. May 6, 2016: Technical Progress Report. Source on file.
- 47 ILO-IPEC. Global Research on Child Labor Measurement and Policy Development (MAP). October 2016: Technical Progress Report. Source on file.
- 48 ILO and Government of Azerbaijan. Decent Work Country Programme- Azerbaijan. Geneva. 2016.
http://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/documents/project/wcms_531140.pdf.
- 49 U.S. Embassy- Baku official. Email communication to USDOL official. April 8, 2015.
- 50 Government of Azerbaijan. State Program on improving official statistics in the Republic of Azerbaijan in 2018-2025. Baku. February 14, 2018.
https://www.stat.gov.az/menu/2/state_programs/2018_2025/.
- 51 U.S. Embassy- Baku official. Email communication to USDOL official. June 8, 2016.

In 2018, Bangladesh made a moderate advancement in efforts to eliminate the worst forms of child labor. The government launched a \$35 million, 3-year project to eliminate hazardous child labor by identifying and rehabilitating 100,000 child laborers. In addition, the Bangladesh Army and Rapid Action Battalion were deployed to assist in the identification and investigation of trafficking and smuggling cases among Rohingya refugees. The government also adopted a five-year National Plan of Action for the Prevention and Suppression of Human Trafficking. However, children in Bangladesh engage in the worst forms of child labor, including forced child labor in the production of dried fish and bricks. Children also perform dangerous tasks in the production of garments and leather goods. Laws do not cover children working in the informal sector, and hazardous work prohibitions are not comprehensive. Moreover, the number of labor inspectors is insufficient for the size of Bangladesh's workforce, and fines are too low to deter child labor law violations.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bangladesh engage in the worst forms of child labor, including forced child labor in the production of dried fish and bricks. (1,2) Children also perform dangerous tasks in the production of garments and leather goods. (3-7) Table I provides key indicators on children's work and education in Bangladesh.

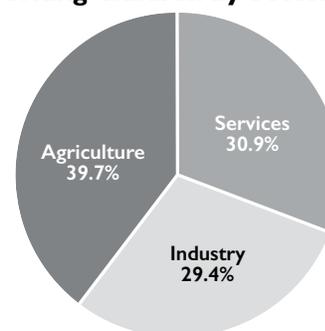
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.3 (1,326,411)
Attending School (%)	5 to 14	89.4
Combining Work and School (%)	7 to 14	1.9
Primary Completion Rate (%)		118.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (8)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey, 2013. (9)

Figure I. Working Children by Sector, Ages 5-14



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	Harvesting and processing crops, including tobacco, raising poultry, grazing cattle, and harvesting tea leaves (10-14)
	Fishing and drying and processing fish (1,10,12,13,15)
	Harvesting and processing shrimp (13,16)
Industry	Quarrying and mining, including salt (10,17)
	Producing garments, textiles, and jute textiles (7,18-23)
	Producing leather,† leather goods, and footwear† (4-6,24-30)
	Manufacturing bricks,† glass,† hand-rolled cigarettes (bidis),† matches,† soap,† furniture (steel),† aluminum products,† and metal products (2,10,13,31-35)

Bangladesh

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Ship breaking and battery recycling† (34,36-38)
	Construction† and breaking bricks† and stones† (10,12,13,39)
Services	Domestic work (3,12,13,40,41)
	Working in transportation, including pulling rickshaws and repairing automobiles† (10,12,26,42,43)
	Working in tea shops and retail shops (10,12)
Categorical Worst Forms of Child Labor‡	Forced labor in the drying of fish and the production of bricks (1,15,39,44,45)
	Commercial sexual exploitation, sometimes as a result of human trafficking (44,46,47)
	Forced domestic work, sometimes as a result of human trafficking (12,13,44,48-51)
	Use in illicit activities, including smuggling and selling drugs (13,50,52)
	Forced begging (44,50)

† 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.

Many children in Bangladesh engage in dangerous work in informal manufacturing sectors and the dried fish industry. (3-6,15) Children working in informal garment production work as many as 16 hours a day and often carry heavy loads, use hazardous machinery, and handle chemicals without protective equipment. (7,29) In addition, due to large workloads, children may eat, shower, and sleep inside the factories where they work, often surrounded by water polluted by the factories. (7) Reports of violence against child workers has also been documented. (22) Children employed in tanneries also lack protective equipment and experience continuous exposure to heavy metals, formaldehyde, and other hazardous substances. (4,5) In the dried fish industry, children work all day without protective gear and are exposed to the insecticide DDT, salt, and the sun. (15) In addition, some children in Bangladesh work under forced labor conditions producing bricks and drying fish. (1,15,44)

Nearly 350,000 Rohingya children are living in refugee camps in Bangladesh following the Burmese military’s ethnic cleansing operations in 2017. Children residing in the camps are vulnerable to commercial sexual exploitation and forced labor. (50,53,54) Rohingya girls are trafficked from the refugee camps for commercial sexual exploitation in Bangladesh, India, and Nepal. In some cases, girls are promised jobs in domestic service but are instead forced into commercial sexual exploitation. (44,47) Rohingya children recruited to work outside the refugee camps are reported to be underpaid or unpaid, unable to communicate with their families, and subjected to excessive working hours. (44,50) Girls typically work in domestic service, and boys work in construction, fishing, and shops. (44,51,55) Some girls are forced into domestic service, sometimes as a result of human trafficking, and are abused by their employers. (49-51) There is also a report that Rohingya children are exploited in bonded labor in the fish drying industry, predominantly in the city of Cox’s Bazar. (45)

Although the 2010 National Education Policy raised the age of compulsory education from fifth grade (age 10) to eighth grade (age 14), the new compulsory education age is not enforceable until the legal framework is amended to reflect the revised policy. (70) Additionally, several factors contribute to children not attending school, such as inadequate access to water and sanitation facilities and the costs associated with education, including books and uniforms. (10,13) Although Rohingya refugee children are not permitted to attend school in Bangladesh due to their lack of documentation, the government has permitted international organizations, such as UNICEF, UNESCO, and UNHCR, to provide some limited, basic education services to Rohingya children. (13,56,57)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Bangladesh has ratified most 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 Bangladesh's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Section 34 of the Bangladesh Labor Act (58)
Minimum Age for Hazardous Work	Yes	18	Sections 39–42 of the Bangladesh Labor Act (58)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 39–42 of the Bangladesh Labor Act; Statutory Regulatory Order Number 65 (58,59)
Prohibition of Forced Labor	Yes		Sections 370 and 374 of the Penal Code; Sections 3, 6, and 9 of the Prevention and Suppression of Human Trafficking Act (60,61)
Prohibition of Child Trafficking	Yes		Sections 3 and 6 of the Prevention and Suppression of Human Trafficking Act; Section 6 of the Suppression of Violence Against Women and Children Act (61,62)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 372–373 of the Penal Code; Sections 78 and 80 of the Children's Act; Sections 3 and 6 of the Prevention and Suppression of Human Trafficking Act; Section 8 of the Pornography Control Act (60,61,63,64)
Prohibition of Using Children in Illicit Activities	No		Section 79 of the Children's Act (63)
Minimum Age for Voluntary State Military Recruitment	No		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No	10	Section 2 of the Primary Education (Compulsory) Act (65)
Free Public Education	Yes		Article 17 of the Constitution (66)

* No conscription (67)

In 2018, the Bangladesh Labor Act was amended, banning all child labor in factories, and only allowing children age 14–18 to engage in light work. The former provision permitted children as young as 12 to perform light work. (57,58,68) Minimum age protections in the Bangladesh Labor Act do not cover children working in the informal sector. Child labor in Bangladesh is most prevalent in the informal sector, which includes domestic work, street

Bangladesh

MODERATE ADVANCEMENT

work, and work on small agricultural farms. (57,58) In addition, the types of hazardous work prohibited for children do not cover garment production and drying fish; both are areas of work in which there is evidence that children work in unsafe and unhealthy environments for long periods of time. (1,6,15,59)

Bangladesh has also not criminally prohibited the use of children in pornographic performances and in the production of drugs. (61,63,68) In addition, there are no published laws setting the minimum age of voluntary recruitment by the state armed forces at age 16 and setting safeguards to ensure that children under age 18 who join do so voluntarily. Moreover, the legal framework does not prohibit the recruitment of children by non-state armed groups. (69)

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 Department of Inspection for Factories and Establishments (DIFE) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Inspection for Factories and Establishments	Enforces labor laws, including those relating to child labor and hazardous work. (71)
Bangladesh Police	Enforces Penal Code provisions protecting children from forced labor and commercial sexual exploitation. (72) In the case of the Trafficking in Persons Monitoring Cell, investigates cases of human trafficking and enforces the Prevention and Suppression of Human Trafficking Act's anti-trafficking provisions. (73)
Bangladesh Labor Court	Prosecutes labor law violations, including those related to child labor, and imposes fines or sanctions against employers. (74)
Child Protection Networks	Responds to violations against children, including child labor. Comprises officials from various agencies with mandates to protect children, prosecute violations, monitor interventions, and develop referral mechanisms at the district and sub-district levels between law enforcement and social welfare services. (75)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Bangladesh took actions to combat child labor (Table 6). However, gaps exist within the operations of DIFE that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (13)	Unknown (57)
Number of Labor Inspectors	317 (13)	300 (57)
Inspectorate Authorized to Assess Penalties	No (74)	No (74)
Initial Training for New Labor Inspectors	Yes (13)	Yes (57)
Training on New Laws Related to Child Labor	N/A	Yes (76)
Refresher Courses Provided	Yes (13)	Unknown (57)
Number of Labor Inspections Conducted	32,924† (13)	Unknown (57)
Number Conducted at Worksite	Unknown (13)	Unknown (57)
Number of Child Labor Violations Found	100 (13)	1,234 (76)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (13)	Unknown (57)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (13)	Unknown (57)
Routine Inspections Conducted	Yes (13)	Unknown (57)
Routine Inspections Targeted	Yes (13)	Yes (57)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Unannounced Inspections Permitted	Yes (13)	Yes (57)
Unannounced Inspections Conducted	Yes (13)	Yes (57)
Complaint Mechanism Exists	Yes (13)	Yes (57)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (71)	No (57)

† Data are from June 2016 to July 2017.

The number of labor inspectors is likely insufficient for the size of Bangladesh’s workforce, which includes more than 66 million workers. According to the ILO’s technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Bangladesh would employ about 1,666 labor inspectors. (77-79) Reports indicate that DIFE rarely inspects unregistered factories and establishments, in which children are more likely to be employed. (16,57,80,81) In addition, the current penalty for a child labor law violation, a \$63 fine, is an inadequate deterrent. (75,81)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Bangladesh took actions to combat child labor (Table 7). However, gaps exist within the operations of the Bangladesh Police that may hinder adequate criminal law enforcement, including financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (13)	Yes (57)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (82)	Yes (57)
Number of Investigations	Unknown (13)	Unknown (57)
Number of Violations Found	Unknown (13)	Unknown (57)
Number of Prosecutions Initiated	Unknown (13)	Unknown (57)
Number of Convictions	Unknown (13)	Unknown (57)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (83)	Unknown (76,83)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Unknown (57)

In 2018, the Bangladesh Police reported that 80 children were victims of human trafficking. (84) The Bangladesh Army and Rapid Action Battalion were also reported to have been deployed to assist in the identification and investigation of possible trafficking of Rohingya refugees, a population with children vulnerable to child labor and commercial sexual exploitation. (44,83) However, the Trafficking in Persons Monitoring Cell reportedly lacks the necessary funds and staff to adequately address cases of child trafficking. (85) Reporting also indicates that Child Protection Networks, intended to be a referral mechanism between law enforcement and social services, are not operating due to a lack of funds. (86)

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 coordination among agencies.

Bangladesh

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
National Child Labor Welfare Council	Coordinates efforts undertaken by the government to guide, coordinate, and monitor the implementation of the National Plan of Action on the Elimination of Child Labor. (87) Chaired by the Ministry of Labor and Employment, comprises officials representing relevant government ministries, international organizations, child advocacy groups, and employer and worker organizations. (88) Met in 2018 to discuss upcoming programs to eliminate child labor. (89)
Counter-Trafficking National Coordination Committee, Ministry of Home Affairs (MHA)	Coordinates the work of government agencies and international and local NGOs on international and domestic human trafficking, including child trafficking, through bimonthly meetings. (73) Oversees district counter-trafficking committees, which manage counter-trafficking committees for sub-districts and smaller administrative units. (73,90) Some district and sub-district committees allocated funding for coordination activities and victim support in 2018. (44)
Rescue, Recovery, Repatriation, and Integration Task Force, MHA	Coordinates efforts of Bangladesh and India to rescue, recover, repatriate, and reintegrate victims of human trafficking, particularly children, between the two countries. Liaises with various ministries, government departments, NGOs, and international organizations that assist trafficked children. (90,91) During the reporting period, implemented and monitored the Memorandum of Understanding and the Standard Operating Procedures between Bangladesh and India on the repatriation of human trafficking victims between the two countries. (44,92)

Bangladesh and India’s Rescue, Recovery, Repatriation, and Integration Task Forces reportedly are not well coordinated between the two countries, database and case management systems have not been developed, and the process to repatriate human trafficking victims takes too long. (92)

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 mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Child Labor National Plan of Action (2012–2021)	Identifies strategies for developing institutional capacity, increasing access to education and health services, raising social awareness, strengthening law enforcement, and creating prevention and reintegration programs. (93) During the reporting period, the government provided stipends to working children to help them return to school through the fourth phase of the Elimination of Hazardous Child Labor program. (89,94)
Domestic Workers Protection and Welfare Policy	Sets the minimum age for domestic work at 14 years; children ages 12 and 13 can work as domestic workers with parental permission. (95) However, the policy is not legally enforceable until the legal framework is amended to reflect the revised policy. (96) During the reporting period, the government sought to ensure the rights and welfare of domestic workers. (94)
National Plan of Action for Prevention and Suppression of Human Trafficking (2018–2022)†	Establishes a plan to build government capacity to address trafficking in persons and provide economic and social safety nets for victims and vulnerable populations, particularly children. (97,98)
National Education Policy	Specifies the government’s education policy, including pre-primary, primary, secondary, vocational and technical, higher, and non-formal education policies. Sets the compulsory age for free education through eighth grade (age 14). (70) During the reporting period, primary education was extended to eighth grade in 609 schools, new secondary schools were constructed, and existing secondary schools were renovated, including the installation of girls’ toilets. (94)
Seventh Five Year Plan (2016–2020)	Includes the elimination of the worst forms of child labor, with a focus on child domestic workers and other vulnerable groups. Sets out actions to be taken by the government, including forming a policy for children working in the formal sector; providing assistance to street children to protect them from exploitation, coordinating with the government and other stakeholders for effective rehabilitation, increasing working children’s access to formal and non-formal learning, and providing livelihood support to poor households with children. (99) During the reporting period, the government reported that training centers and homes were established for vulnerable children. (94)

† The policy was approved during the reporting period.

In 2018, the government published a budget for the implementation of child-relevant policies. (94) The government has yet to include child labor elimination and prevention strategies into the National Education Policy. (70)

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 adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Elimination of Hazardous Child Labor, Phase IV (2018–2021)*†	\$35 million Government of Bangladesh-funded, 3 year project implemented by the Ministry of Labor and Employment. Seeks to identify 100,000 child laborers, reintegrate these children into vocational schools, and provide livelihood support for their parents. (76,89)
Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor Project	USDOL-funded, capacity-building project implemented by the ILO in 11 countries to build the capacity of local and national governments to address child labor. During the reporting period, 300 children were withdrawn from work and re-enrolled in school with the support of the pilot child labor monitoring system that was launched in 2017. (89) Additional information is available on the USDOL website.
Enabling Environment for Child Rights‡	Ministry of Women and Children's Affairs program, supported by UNICEF, which rehabilitates street children engaged in child labor and enrolls them in school. (100,101) During the reporting period, supported vulnerable children with cash transfers. (94)
Child Help Line 1098†	Ministry of Social Work-implemented and UNICEF-supported 24-hour emergency hotline. Connects children vulnerable to violence, abuse, and exploitation with social protection services. (102) The program continued to be implemented during the reporting period. (94)

† Program is funded by the Government of Bangladesh.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (104,105)

Although the government has implemented social programs to eliminate hazardous child labor, research found that the scope of these programs is insufficient to fully address the extent of the child labor problem. In addition, research found no evidence that the government has carried out programs specifically designed to assist children working in tanneries, the informal garment sector, and the dried fish industry. (29)

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 Bangladesh (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2018
	Amend the national law to reflect the amended Domestic Workers Protection and Welfare policy.	2018
	Extend the law's minimum age protections to children working in the informal sector, including in domestic work, on the streets, and in small-scale agriculture.	2009 – 2018
	Ensure that the types of hazardous work prohibited for children are comprehensive, in particular by including garment production and fish drying.	2016 – 2018
	Criminally prohibit the use of children for pornographic performances.	2015 – 2018
	Criminally prohibit the use of children in illicit activities, particularly in the production of drugs.	2015 – 2018
	Establish age 16 as the minimum age for voluntary recruitment by the state military, with safeguards for voluntariness.	2016 – 2018
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
Enforcement	Ensure that education is compulsory through eighth grade and is consistent with the minimum age for work.	2012 – 2018
	Publish information related to labor law enforcement, including the amount of labor inspectorate funding, whether inspectors received refresher training, the number of labor inspections conducted, the number of inspections conducted at worksites, the number of child labor violations, the number of child labor violations for which penalties were imposed, the number of penalties imposed for child labor violations that were collected, and whether routine inspections were conducted.	2012 – 2018

Bangladesh

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure enforcement of citations and penalties for labor law violations, including authorizing the inspectorate to assess penalties for child labor law violations and increasing penalties for child labor law violations to be an adequate deterrent.	2014 – 2018
	Create mechanisms for labor law enforcement to refer children involved in child labor to appropriate legal and social services.	2013 – 2018
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2018
	Ensure that labor inspections are conducted with sufficient frequency at unregistered factories and businesses.	2013 – 2018
	Publish information on the enforcement of laws related to the worst forms of child labor, including the number of investigations, the number of prosecutions, and the number of convictions. In addition, publish information on whether a referral mechanism exists between criminal law enforcement authorities and social services.	2012 – 2018
	Provide police with sufficient resources and training to enforce violations involving human trafficking, forced labor, and the commercial sexual exploitation of children.	2014 – 2018
	Ensure that Child Protection Networks are sufficiently funded to provide a functional referral mechanism between law enforcement and social services.	2016 – 2018
Coordination	Adequately coordinate with India's Rescue, Recovery, Repatriation, and Integration Task Force to ensure the timely repatriation of human trafficking victims.	2018
Government Policies	Integrate child labor elimination and prevention strategies into the National Education Policy.	2014 – 2018
Social Programs	Implement programs that seek to address inadequate access to water and sanitation facilities and prohibitive fees associated with education.	2013 – 2018
	Provide sufficient education services for Rohingya refugee children and remove other barriers to their school attendance.	2017 – 2018
	Expand programs to address the scope of the child labor problem, including developing and implementing programs to address child labor in tanneries and in the informal garment and fish drying industries.	2016 – 2018

REFERENCES

- McGoogan, Cara, and Muktadir Rashid. Satellites reveal 'child slave camps' in Unesco-protected park in Bangladesh. October 23, 2016. The Telegraph. <http://www.telegraph.co.uk/technology/2016/10/23/satellites-reveal-child-slave-camps-in-unesco-protected-park-in/>.
- ILO-IPEC. Health Hazards of Child Labour in Brick Kiln of Bangladesh. Geneva. 2014. <http://www.ilo.org/ippecinfo/product/download.do?type=document&id=25296>.
- Quattri, Maria, and Kevin Watkins. Child labour and Education: A survey of slum settlements in Dhaka. December 2016. Overseas Development Institute. <https://www.odi.org/publications/10654-child-labour-and-education-survey-slum-settlements-dhaka>.
- Boseley, Sarah. Plight of child workers facing cocktail of toxic chemicals exposed by report. The Guardian. March 21, 2017. Source on file.
- Kenny, Justin. Bangladesh's billion dollar leather industry has a problem with child labor and toxic chemicals. March 29, 2017. PBS NewsHour. <http://www.pbs.org/newshour/rundown/bangladesh-leather-factories-child-labor-pollution/>.
- PBS NewsHour. Bangladesh's leather industry exposes workers and children to toxic hazards. March 29, 2017. <https://www.pbs.org/newshour/show/bangladeshs-leather-industry-exposes-workers-and-children-to-toxic-hazards>.
- Hunter, Isabel. Crammed into squalid factories to produce clothes for the West on just 20p a day. November 30, 2015. Daily Mail. <http://www.dailymail.co.uk/news/article-3339578/Crammed-squalid-factories-produce-clothes-West-just-20p-day-children-forced-work-horrific-unregulated-workshops-Bangladesh.html>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Labour Force Survey. Original data from Labour Force Survey. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Bangladesh Bureau of Statistics. Child Labor Survey Bangladesh 2013. October 2015. <http://203.112.218.65/WebTestApplication/userfiles/Image/LatestReports/ChildLabourSurvey2013.pdf>.
- Bhalla, Nita. British American Tobacco vows to investigate child workers in Bangladeshi farms. June 30, 2016. Reuters. <http://www.reuters.com/article/us-bangladesh-tobacco-child-labour-idUSKCN0ZG1QF>.
- Allard, Tom, and Tommy Wilkes. Exclusive: \$6 for 38 days work: Child exploitation rife in Rohingya camps. November 12, 2017. Reuters. <https://www.reuters.com/article/us-myanmar-rohingya-exploitation/exclusive-6-for-38-days-work-child-exploitation-rife-in-rohingya-camps-idUSKBN1DD05A>.
- U.S. Embassy- Dhaka. Reporting. February 13, 2018.
- ILO. A Study Report on Working Conditions of Tea Plantations Workers in Bangladesh. 2016. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_563692.pdf.

- 15 U.S. Embassy- Dhaka. Reporting. July 15, 2018.
- 16 Environmental Justice Foundation. *Impossibly Cheap: Abuse and Injustice in Bangladesh's Shrimp Industry*. January 16, 2014. <https://ejfoundation.org/reports/impossibly-cheap-abuse-and-injustice-in-bangladeshs-shrimp-industry-1>.
- 17 International Trade Union Confederation. *Internationally Recognised Core Labour Standards in Bangladesh*. September 24 and 26, 2012. <http://www.ituc-csi.org/IMG/pdf/bangladesh-final.pdf>.
- 18 Labowitz, Sarah, and Dorothee Baumann-Pauly. *Beyond the Tip of the Iceberg: Bangladesh's Forgotten Apparel Workers*. December 2015. Stern School of Business and Human Rights. http://people.stern.nyu.edu/twadhwa/bangladesh/downloads/beyond_the_tip_of_the_iceberg_report.pdf.
- 19 Kaye, Leon. *Early Warning Systems Reveal Child Labor in Bangladesh's Garment Industry*. October 14, 2016. Triple Pundit. <http://www.triplepundit.com/2016/10/early-warning-systems-reveals-child-labor-bangladeshs-garment-industry/>.
- 20 Theuws, Martje, et al. *Branded Childhood: How garment brands contribute to low wages, long working hours, school dropout and child labour in Bangladesh*. January 2017. Centre for Research on Multinational Corporations. <http://www.stopkinderarbeid.nl/assets/Branded-Childhood.pdf>.
- 21 Asadullah, M. Niaz, and Zaki Wahhaj. *Bangladesh's garment industry: Child labour and options*. May 11, 2017. *The Himalayan Times*. <https://thehimalayantimes.com/opinion/bangladeshs-garment-industry-child-labour-options/>.
- 22 Agence France-Presse. *Bangladeshi child labourer 'tortured to death' at textile mill*. July 25, 2016. *The Guardian*. <https://www.theguardian.com/world/2016/jul/25/bangladeshi-child-labourer-tortured-to-death-at-textile-mill>.
- 23 Bangladesh Bureau of Statistics. *Baseline Survey for Determining Hazardous Child Labour Sectors in Bangladesh 2005-2006*. Source on file.
- 24 Mendoza, Martha, and Julhas Alam. *Report examines grim Bangladesh leather trade, links to West*. March 25, 2017. Associated Press. <https://www.apnews.com/57003bedd3ae4e3e9d1633cf50effc31>.
- 25 Garnett, Christopher. *Child Labour in Bhairab's Shoe Factories*. September 19, 2015. Garnett Consulting. <https://www.garnettconsulting.co.uk/en/2015/09/19/child-labour-in-bhairabs-shoe-factories/>.
- 26 Ullah, Ahamed. *Hazardous Child Labour Rampant in City, Outskirts*. February 23, 2017. *Daily Sun*. <http://www.daily-sun.com/post/207700/Hazardous-child-labour-rampant-in-city-outskirts>.
- 27 bdnews24.com. *Four Children Burnt in Bangladesh Wallet Factory Fire*. December 2, 2016. <https://bdnews24.com/bangladesh/2016/12/01/four-children-burnt-in-bangladesh-wallet-factory-fire>.
- 28 Union of Catholic Asian News. *The extremely unhealthy life of the Bangladesh tannery worker*. March 5, 2014. <http://www.ucanews.com/news/the-extremely-unhealthy-life-of-the-bangladesh-tannery-worker/70421>.
- 29 Bangladesh Labor Welfare Foundation. *Report: Baseline Study on Child Labor in the Keraniganj Apparel Hub*. October 2016. http://www.blwf-bd.org/wp-content/uploads/2017/03/Child_Labour_Keraniganj_Dhaka.pdf.
- 30 Rashid, Tania. *Tanneries in Bangladesh Are Spewing Toxic Waste and Making Workers Sick*. January 21, 2015. *Vice News*. <https://news.vice.com/article/tanneries-in-bangladesh-are-spewing-toxic-waste-and-making-workers-sick>.
- 31 U.S. Embassy- Dhaka. Reporting. December 10, 2015.
- 32 Progga. *Tobacco or Sustainable Development*. June 2016. <http://progga.org/wp-content/uploads/2011/01/Tobacco-or-Sustainable-Development.pdf>.
- 33 Ahad, A.M. *Poor Bangladesh Kids Work to Eat, Help Families*. June 13, 2016. Associated Press. <https://apnews.com/4d171c27724244d1ae4f4d8f4cb13c82/ap-photos-poor-bangladesh-kids-work-eat-help-families>.
- 34 Ul-Karim, Naim. *Child Laborers in Bangladesh: Victims of Poverty*. June 12, 2016. *Xinhua General News Service*. http://www.xinhuanet.com/english/2016-06/12/c_135430898.htm.
- 35 Butler, Jess. *World Day Against Child Labor exposes utensil factories*. June 13, 2016. <http://www.aol.com/article/2016/06/13/world-day-against-child-labor-exposes-utensil-factories/21394323/>.
- 36 *Daily Sun*. *17 lakh children engaged in hazardous work*. June 11, 2016. <http://www.daily-sun.com/printversion/details/143455/17-lakh-children-aged-517-engaged-in-hazardous-work>.
- 37 Bengali, Shashank. *Adult and underage workers risk their lives in Bangladesh's rising ship-breaking industry*. March 9, 2016. *LA Times*. <http://www.latimes.com/world/asia/la-fg-bangladesh-ships-20160309-story.html>.
- 38 Khan, Tazlina Zamila. *Battery recycling ruining children's lives*. *Dhaka Tribune*. January 18, 2014. <https://www.dhakatribune.com/uncategorized/2014/01/17/battery-recycling-ruining-childrens-lives>.
- 39 Manik, MD. *Child Labour at Brick Crushing Factory in Bangladesh*. January 7, 2014. <http://www.demotix.com/news/3625453/child-labour-brick-crushing-factory-bangladesh/all-media>.
- 40 *The Financial Express*. *BD fares well on cut in child labour*. October 20, 2016. <http://www.thefinancialexpress-bd.com/2016/10/20/50039/BD-fares-well-on-cut-in-child-labour>.
- 41 Bangladesh Shishu Adhikar Forum (BSAF). *Hidden Slavery: Child Domestic Workers*. March 2016. http://www.idwfed.org/en/resources/hidden-slavery-child-domestic-workers/@@display-file/attachment_1.
- 42 La Croix International. *The hard reality of Bangladesh's child laborers*. February 23, 2016. Source on file.
- 43 *The Asian Age*. *Sylhet child workers doing hazardous jobs*. February 24, 2017. <http://dailyasianage.com/news/49461/sylhet-child-workers--doing-hazardous-jobs>.
- 44 U.S. Department of State. *Trafficking in Persons Report-2018: Bangladesh*. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/bangladesh/>.
- 45 Arnold, Katie. *Traffickers prey on lost Rohingya children in Bangladesh camps*. November 7, 2017. *Reuters*. <https://www.reuters.com/article/us-bangladesh-rohingya-children-traffic/traffickers-prey-on-lost-rohingya-children-in-bangladesh-camps-idUSKBN1D8015>.
- 46 Rashid, Tania, and Soraya Auer. *They have no chance of getting out of Bangladesh's biggest brothel*. February 9, 2015. *Vice News*. <https://news.vice.com/fr/article/bangladesh-bordel-reportage>.

Bangladesh

MODERATE ADVANCEMENT

- 47 BBC. The Rohingya children trafficked for sex. March 20, 2018. <https://www.bbc.com/news/world-asia-43469043>.
- 48 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, adopted 2014 (No. 182) Bangladesh (ratification: 2001) Published: 2015. Accessed November 5, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3184768.
- 49 Doherty, Ben. Displaced Rohingya Children Left In Limbo By Refugee Crisis. January 31, 2018. The Guardian. <https://www.theguardian.com/world/2018/feb/01/devoid-of-hope-displaced-rohingya-children-are-vulnerable-to-trafficking-and-radicalisation>.
- 50 IOM. IOM Bangladesh: Rohingya Refugee Crisis Response Situation Overview of Human Trafficking. October 2018. https://www.iom.int/sites/default/files/situation_reports/file/bangladesh_sr_201810.pdf.
- 51 Yu, Sylvia. Trafficking Crisis Looms For Rohingya Refugees In Bangladesh. National Observer, December 1, 2017. <https://www.nationalobserver.com/2017/12/01/news/trafficking-crisis-looms-rohingya-refugees-bangladesh>.
- 52 Atkinson-Sheppard, Sally. The gangs of Bangladesh: Exploring organized crime, street gangs and 'illicit child labourers' in Dhaka. *Criminology and Criminal Justice* 16, no. 2 (2016). <http://journals.sagepub.com/doi/abs/10.1177/1748895815616445>.
- 53 IOM. Thousands at Risk of Trafficking Amid Rohingya Refugee Crisis. July 31, 2018. <https://www.iom.int/news/thousands-risk-trafficking-amid-rohingya-refugee-crisis-iom>.
- 54 IOM. UN Migration Agency Helps Bangladesh Police Tackler Trafficking Threat to Rohingya Refugees. January 16, 2018. Press Release. <https://www.iom.int/news/un-migration-agency-helps-bangladesh-police-tackle-trafficking-threat-rohingya-refugees>.
- 55 Beech, Hannah. Rohingya Children Facing 'Massive Mental Health Crisis.' New York Times. December 31, 2017. <https://www.nytimes.com/2017/12/31/world/asia/rohingya-children-myanmar.html>.
- 56 World Vision, Save the Children, and Plan International. Childhood Interrupted: Children's Voices From the Rohingya Refugee Crisis. February 24, 2018. <https://reliefweb.int/report/bangladesh/childhood-interrupted-children-s-voices-rohingya-refugee-crisis>
- 57 U.S. Embassy- Dhaka. Reporting. January 28, 2019
- 58 Government of Bangladesh. Labour Law. Enacted: June 2, 2006. Source on file.
- 59 Ministry of Labor and Employment-Child Labor Unit. List of Worst Forms of Works for Children. 2013. Source on file.
- 60 Government of Bangladesh. Penal Code, Act No. XLV. Enacted: 1860. http://bdlaws.minlaw.gov.bd/pdf_part.php?act_name=&vol=&id=11.
- 61 Government of Bangladesh. The Prevention and Suppression of Human Trafficking Act. Enacted: 2012. <http://www.refworld.org/pdfid/543f75664.pdf>.
- 62 Government of Bangladesh. The Suppression of Violence Against Women and Children. Enacted: 2000. Source on file.
- 63 Government of Bangladesh. Children's Act, No. 24. Enacted: June 20, 2013. http://bdlaws.minlaw.gov.bd/print_sections_all.php?id=470.
- 64 Government of Bangladesh. Pornography Control Act. Enacted: 2012. http://bdlaws.minlaw.gov.bd/bangla_all_sections.php?id=1091.
- 65 Government of Bangladesh. Primary Education (Compulsory) Act, 1990. Enacted: 1990. http://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/bangladesh_primary_education_compulsory_act_1990.pdf.
- 66 Government of Bangladesh. Constitution. Enacted: March 26, 1971. http://bdlaws.minlaw.gov.bd/pdf_part.php?id=367.
- 67 Government of Bangladesh. The Army Act, 1952. Enacted: 1952. http://bdlaws.minlaw.gov.bd/print_sections_all.php?id=248.
- 68 U.S. Embassy-Dhaka official. Email communication to USDOL official. February 25, 2016.
- 69 U.S. Embassy-Dhaka official. Email communication to USDOL official. March 16, 2017.
- 70 Government of Bangladesh. National Education Policy. 2010. <http://reliefweb.int/sites/reliefweb.int/files/resources/02.National-Education-Policy-2010-English.pdf>.
- 71 Ministry of Labor and Employment. U.S. Department of Labor Request for Information on Child Labor and Forced Labor. March 7, 2017. Source on file.
- 72 U.S. Embassy-Dhaka official. Email communication to USDOL official. March 23, 2014.
- 73 Ministry of Home Affairs. National Plan of Action for Combating Human Trafficking 2015-2017. January 2015. Source on file.
- 74 Department of Inspection for Factories and Establishments, Government of Bangladesh. Questions from U.S. Government. February 24, 2015. Source on file.
- 75 U.S. Department of State. Country Reports on Human Rights Practices- 2017: Bangladesh. Washington, DC. March 3, 2017. <https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/bangladesh/>.
- 76 U.S. Embassy- Dhaka official. Email communication to USDOL official. June 18th, 2019.
- 77 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy. November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/reim/gb/docs/gb297/pdf/esp-3.pdf>.

- 78 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York. 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf
- 79 CIA. The World Factbook. Accessed January 19, 2018. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>
- 80 U.S. Embassy- Dhaka. Reporting. March 7, 2017.
- 81 USAID. Bangladesh Labor Assessment. April 2014. Source on file.
- 82 U.S. Embassy- Dhaka. Reporting. February 27, 2018.
- 83 U.S. Embassy- Dhaka official. Email communication to DOL official. June 21, 2019.
- 84 Bangladesh Police. Human Trafficking Cases Monthly. 2018.
https://www.police.gov.bd/en/monthly_status_of_human_trafficking_cases
- 85 U.S. Embassy- Dhaka. Reporting. February 17, 2015.
- 86 Mazumder, Srabonty. Child Protection Network falls flat. July 1, 2016. The Financial Express. .
<http://www.thefinancialexpress-bd.com/2016/07/01/36564/Child-Protection-Network-falls-flat>
- 87 ILO. ILO supports first meeting of national child labour council. May 26, 2015.
http://www.ilo.org/dhaka/Whatwedo/Eventsandmeetings/WCMS_372579/lang--en/index.htm
- 88 Ministry of Labor and Employment. Circular: National Child Labor Welfare Committee. February 12, 2014. Source on file.
- 89 ILO. Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor Project Technical Progress Report. September 31, 2018. Source on file.
- 90 U.S. Embassy- Dhaka. Reporting. March 3, 2014.
- 91 Government of Bangladesh. RRR1 Task Force Cell. November 7, 2014.
<http://antitraffickingcell.gov.bd/>
- 92 The Independent. Call to curb cross border human trafficking. August 31, 2018.
<http://www.theindependentbd.com/printversion/details/164236>
- 93 Government of Bangladesh. National Plan of Action for Implementing the National Child Labour Elimination Policy (2012-2016). 2013.
<http://www.gbv.de/dms/zbw/798813121.pdf>
- 94 Government of Bangladesh. Blooming Children: Prosperous Bangladesh, Child Focused Budget, 2018-19. June 2018.
https://mof.portal.gov.bd/sites/default/files/files/mof.portal.gov.bd/page/6333d00d_b8ae_45fd_b0d5_d07e98760bde/Child_Budget_2018-19_English.pdf
- 95 Government of Bangladesh. Domestic Workers Protection and Welfare Policy. Ministry of Labor and Employment. December 28, 2015. Source on file.
- 96 U.S. Embassy- Dhaka official. Email communication to USDOL official. May 26, 2016.
- 97 Hasan, Kamrul. Five year NPA for fighting human trafficking launched. Dhaka Tribune. December 3, 2018.
<https://www.dhakatribune.com/bangladesh/event/2018/12/03/five-year-npa-for-fighting-human-traffickinglaunched>
- 98 Government of Bangladesh. National Plan of Action for Prevention and Suppression of Human Trafficking. 2018-2022. Source on file.
- 99 Government of Bangladesh. Seventh Five Year Plan (2016-2020). November 11, 2015.
http://www.plancomm.gov.bd/wp-content/uploads/2015/11/7FYP_after-NEC_11_11_2015.pdf
- 100 UNICEF. Underprivileged Children to Receive Cash Assistance through Mobile. May 6, 2015: Press Release. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
http://www.unicef.org/bangladesh/media_9298.htm
- 101 U.S. Embassy- Dhaka official. Email communication to USDOL official. April 13, 2015.
- 102 UNICEF. ‘Child Help Line-1098’ extended to support more vulnerable children. October 12, 2015: Press Release. .
http://www.unicef.org/bangladesh/media_9607.htm
- 103 Winrock International. Child Labor Improvements in Bangladesh (CLIMB) Technical Progress Report. Source on file.
- 104 Ministry of Labor and Employment. U.S. Department of Labor Request for Information on Child Labor and Forced Labor. April 30, 2015. Source on file.
- 105 U.S. Embassy- Dhaka. Reporting. February 23, 2016.

In 2018, Belize made a moderate advancement in efforts to eliminate the worst forms of child labor. The government drafted legislation to create a hazardous work list and light work framework and created a curriculum for labor inspectors to help identify child workers. The Labor Department appointed a Senior Labor Officer dedicated specifically to child labor and improving interagency coordination. In addition, the government expanded its secondary school subsidy program to serve all rural areas in the country. However, children in Belize engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture, fishing, and construction. Although Belize made meaningful efforts in all relevant areas during the reporting period, the country's minimum age for work is 12 and does not meet international standards. In addition, the country lacks prohibitions against the use of children in illicit activities. Also, the government does not appear to have programs that aim to reduce child labor in agriculture, except in the sugar industry.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Belize engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture, fishing, and construction. (1-3) Table 1 provides key indicators on children's work and education in Belize.

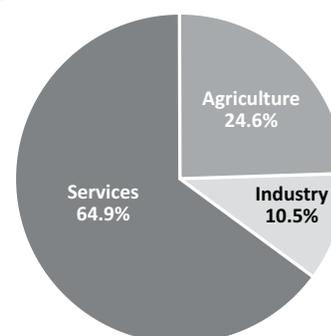
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	1.6 (1,405)
Attending School (%)	5 to 14	94.5
Combining Work and School (%)	7 to 14	1.2
Primary Completion Rate (%)		103.0

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (4)

Source for all other data: International Labor Organization's analysis of statistics from National Child Activity Survey, 2013. (5)

Figure 1. Working Children by Sector, Ages 5-14



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 beans, bananas, citrus fruits, cereals, corn, rice, sugarcane, papayas, and vegetables (3,6,7,8-11)
	Fishing, including for fish, lobster, and conch (3,6,7)
	Butchering or raising livestock, including poultry and cattle (6,7)
Industry	Construction, carpentry, masonry, wood carving, carrying heavy loads, and using power tools (3,6,7)
	Quarrying, including operating stone crushers (7,8)
Services	Street and retail vending (7)
	Yard work, including using lawnmowers, weed-eaters, and machetes (6,7,12)
	Sewing (7)
	Working and cooking in food service, including using large mixers and grills (3,6,7)

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Work in tourist sector, including in food and alcohol service and hospitality, and as tour guides, maintenance personnel, and security guards. (3)
	Auto repair (6,7)
	Welding (7)
	Pumping gas (6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,8,10,13,14)
	Illicit activities, including trafficking of drugs and weapons (3,7,15)

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

Belize lacks a recent, comprehensive child labor study, which makes it difficult to clearly determine the sectors and activities in which working children are engaged. (3) However, reports suggest that children in rural areas work in the agriculture and fishing industries, and children in urban areas work in the construction and tourist industries. Children work on family-owned farms and accompany adults to employment sites to assist in planting and harvesting. (3)

Among Belize’s ethnic groups, Mennonites had the highest percentage of child labor with approximately 9.5 percent of Mennonite children engaged in child labor. (6,7,12) Non-Mennonite children are also engaged in child labor on Mennonite-owned land. (9) Children working on Mennonite land often use dangerous tools like machetes, tractors, and plows, and work long hours in the sun without proper hydration. (9,12) Limited reporting also indicates that boys working mainly in Mennonite communities may be involved in operating heavy machinery and flying small airplanes to spray crops. (3)

Children in Belize are also engaged in child labor in diving and fishing for fish, lobster, and conch. Many of these children cannot swim or may be involved in swimming at extreme depths, and have been injured working with dangerous tools such as anchors, fish traps, chipping hammers, and spears. (3,7)

Government officials indicate that Belize has a reputation as being a destination for child sexual exploitation, with reports of children being trafficked in areas frequented by tourists or seasonal workers, such as San Pedro, Punta Gorda, and Belize City. (3,14,16) Girls from impoverished communities and LGBTI children are particularly vulnerable to commercial sexual exploitation and labor trafficking in Belize. (14,15,17,16) In 2018, there were reports of girls in Punta Gorda being exploited by family members and made to engage in sexual relationships with American expats, who would reward the families financially. (3) Anecdotal reports also indicate that boys from Belize City and San Pedro were recruited to transport and sell drugs and firearms and commit murders as part of gang warfare. (3,7,12,15)

Primary and secondary education is tuition free in Belize up to age 14, but children’s access to education is sometimes hindered by the cost of school fees, textbooks, uniforms, and meals. (3,15,18-20) In 2018, the government expanded its secondary school subsidy program to serve all rural areas in the country and Punta Gorda, Dangriga, and Corozal, with anecdotal reports indicating that the expansion has resulted in more rural children having access to high school education. (3,21) Still, some Spanish-speaking children in northern districts face language barriers at schools that provide instruction only in English. (9) In addition, Belize lacks qualified teachers, basic supplies, and facilities to educate children. (3,7)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Belize 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 Belize's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and hazardous work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	12	Articles 54, 164, and 169 of the Labor Act; Articles 2–3 of the Shops Act (22,23)
Minimum Age for Hazardous Work	No	14	Articles 2 and 7 of the Families and Children Act; Articles 54 and 169 of the Labor Act (22,24)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 8 of the Constitution; Articles 157–158 of the Labor Act (22,25)
Prohibition of Child Trafficking	Yes		Articles 11–14 of the Trafficking in Persons (Prohibition) Act; Article 9 of the Commercial Sexual Exploitation of Children (Prohibition) Act; Articles 49–51 of the Criminal Code (26-28)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 2, 11, and 13–14 of the Trafficking in Persons (Prohibition) Act; Articles 2–9 of the Commercial Sexual Exploitation of Children (Prohibition) Act; Articles 49–51 of the Criminal Code (26-28)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes		Article 16 of the Defence Act (29)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	14	Articles 2 and 59 of the Education and Training Act; Articles 2 and 34 of the Education Act (18,30)
Free Public Education	Yes		Article 70 of the Education and Training Act; Article 45 of the Education Act (18,30)

* No conscription (29)

In 2018, the Government of Belize cooperated with USDOL to launch the Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II) project, which was designed to review and amend legislation addressing child labor issues and improve monitoring and enforcement efforts. The project's Legislative Review Committee drafted a hazardous work and light work list and is proposing extending the compulsory education age to age 16, but these efforts are pending ministry- and cabinet-level review and approval. (3)

Belize

MODERATE ADVANCEMENT

Belizean law does not conform to international standards because it sets the minimum age for employment at age 12. (22) However, the minimum legal age for work in wholesale or retail trade or business is age 14. (23) Belizean law is also inconsistent with international standards on hazardous work. Children under age 14 are prohibited from working in industrial undertakings—including activities such as mining, manufacturing, and construction—but children over age 14 are explicitly permitted to work in those types of activities. (22) Although Belizean law indicates that children under age 18 are prohibited from being employed or engaged in any activity that may be detrimental to their health, education, or mental, physical, or moral development, the law does not specify which employment activities are detrimental to children. (22,24) A list of hazardous work prohibited for all children has not been adopted as law. (31,32,33) Furthermore, Belizean law is inconsistent with international standards on light work, because the types of light work permissible for children have not yet been identified. (22,33)

The Commercial Sexual Exploitation of Children (Prohibition) Act and the Criminal Code prohibit all forms of child sexual exploitation, with the former explicitly prohibiting child pornography. (26,27) However, consensual sex with children ages 16 or 17 is permitted, including in cases in which a person gives or promises remuneration, goods, food, or other benefits in exchange for the sexual act. This provision leaves children vulnerable to the worst forms of child labor. (31,26) Research could not determine whether laws prohibit the use of children in specific illicit activities, including the production and trafficking of drugs. (34,35)

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 other relevant ministries 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, Local Government, and Rural Development	Identifies cases and enforces laws related to child labor and hazardous child labor through its Labor Department. (8,13)
Ministry of Human Development and Social Transformation, Department of Human Services	Receives referrals for child labor cases; trains immigration officials, labor inspectors, and the Belize Police Department (BPD) in making referrals; and handles human trafficking cases. (10,36) Provides victims with welfare services, including medical and social services and counseling assistance. (8,37)
BPD	Investigates cases of commercial sexual exploitation and human trafficking through Sexual Offense and Family Violence Units. (10)
Ministry of Education, Youth, Sports, and Culture	Investigates truancy offenses in schools and issues fines for these violations. (38)
Office of the Director of Public Prosecution	Prosecutes criminal offenses, including cases of commercial sexual exploitation and human trafficking. (39)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Belize took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate labor law enforcement, including insufficient inspections and penalties to deter child labor violations.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (7)	Unknown (3)
Number of Labor Inspectors	Unknown (7)	25 (3)
Inspectorate Authorized to Assess Penalties	Yes (40)	Yes (3)
Initial Training for New Labor Inspectors	Unknown (7)	N/A (3)
Training on New Laws Related to Child Labor	Unknown (7)	N/A (3)
Refresher Courses Provided	Unknown (7)	Yes (3)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Number of Labor Inspections Conducted	Unknown (7)	970 (3)
Number Conducted at Worksite	Unknown (7)	970 (3)
Number of Child Labor Violations Found	Unknown (7)	25 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (7)	0 (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (7)	0 (3)
Routine Inspections Conducted	Unknown (7)	Yes (3)
Routine Inspections Targeted	Unknown (7)	Yes (3)
Unannounced Inspections Permitted	Yes (7)	Yes (3)
Unannounced Inspections Conducted	Unknown (7)	Yes (3)
Complaint Mechanism Exists	Yes (7)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (3)

The government does not publish information regarding labor inspectorate funding. However, government officials indicate that the level of funding is insufficient and that the inspectorate has a need for more vehicles, fuel, and inspectors. (3) Although the Labor Department is required to visit every business at least once a year, it usually falls short of this goal due to a lack of resources. (3,7) Labor inspectors are able to assess penalties, but the current fine for child labor infractions is only \$13.50. Thus, inspections and penalties may be insufficient to deter child labor violations in Belize. (3,41) Although training is provided to new inspectors, funding is insufficient to address the inspectorate's full need for refresher training on existing laws throughout the year. (3)

In 2018, the labor inspectorate carried out 50 child labor-specific inspections in the Orange Walk and Corozal districts and identified 25 cases of child labor. However, these inspections were limited to the sugarcane industry and did not include other sectors in which children work, such as in tourism, construction, fishing, and commercial sexual exploitation. (3)

In 2018, 16 labor officers, 2 truancy officers, 2 Social Security Board inspectors, 1 immigration inspector, and 2 community police officers participated in a training of trainers workshop as part of the CLEAR II project; this training introduced participants to curriculum on identifying, addressing, and preventing child labor that could then be shared within participants' respective organizations. (3,42) The CLEAR II project also developed a curriculum in collaboration with the Ministry of Labor to guide labor inspectors on how to monitor and enforce child labor laws. (43)

Child labor complaints can be submitted to the Labor Department, the Belize Police Department (BPD), or the Department of Human Services. Limited reporting from local NGOs and the private sector indicates that it is difficult to follow up on the status of complaints made. (3)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Belize 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	Unknown (7)	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (7)	N/A (3)
Refresher Courses Provided	Unknown (7)	No (3)
Number of Investigations	Unknown (7)	Unknown (3)
Number of Violations Found	Unknown (7)	0 (3)

MODERATE ADVANCEMENT

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

Overview of Criminal Law Enforcement	2017	2018
Number of Prosecutions Initiated	Unknown (7)	0 (3)
Number of Convictions	Unknown (7)	0 (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	No (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (3)

In 2018, Belize increased its efforts to combat human trafficking. The Ministry of Human Development signed a memorandum of understanding (MOU) with a domestic violence shelter that will house trafficking victims, and the BPD signed an MOU with the Human Trafficking Institute to improve victim identification and support. (2) The government initiated investigations into at least two cases of child sexual exploitation that possibly involved human trafficking and referred five child trafficking victims to social services. (2) The government also provided specialized training to various government representatives on trafficking in persons, including sending various government representatives to the International Law Enforcement Academy’s Executive Policy and Development Symposium on Human Trafficking and Model Law in New Mexico, which focused on responding to human trafficking and child exploitation. (2) Belize continued to implement a public awareness campaign on child sex tourism, which includes public service announcements and billboards at the international airport and border crossings. (2)

Despite these efforts, there have been no human trafficking convictions in Belize since 2005, and although the country’s laws allow for the imprisonment of violators, trafficking cases are often dismissed by lower courts. (2,44) Belize lacks official statistics on child sex tourism, and criminal investigators and police officers lacked sufficient resources—such as vehicles, fuel, office supplies, and adequate training—to investigate violations of criminal law, including the worst forms of child labor. (2,12)

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 the efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
National Child Labor Committee	Coordinates efforts among ministries to combat child labor and implement the National Child Labor Policy. Led by the Ministry of Labor and 14 government and civil society members, and chaired by a Senior Labor Officer. (45,46) In 2018, the committee held at least 10 regular meetings. (3)
Anti-Trafficking in Persons Council	Identifies and rescues human trafficking victims, trains law enforcement officials, and educates the public about the commercial sexual exploitation of children. Led by the Vice Minister of Human Development and Social Transformation; includes 12 other government agencies and civil society organizations. (1) In 2018, the Council provided human trafficking training to prison staff as well as immigration personnel. (2)
National Committee for Families and Children (NCFC)	Promotes, monitors, and evaluates Belize’s compliance with its national and international commitments to children, including the UN CRC. (37) Implements the National Results Framework for Children and Adolescents 2017–2030, also referred to as the Children’s Agenda. (11,47,48) In 2018, the Ministry of Labor and NCFC collaborated with municipal governments and UNICEF to host a 2-day event to review provisions and mechanisms outlined in the Children’s Agenda. Nine participating mayors signed a memorandum of understanding to express their commitment to implementing the Agenda’s initiatives. (49)

In 2018, the Labor Department appointed a Senior Labor Officer dedicated specifically to child labor, who serves as the secretary of the National Child Labor Committee (NCLC). The appointment has resulted in improved communications from the Labor Department on child labor issues with stakeholders. (3,50)

Although the NCLC was re-activated in 2017 and the committee met regularly in 2018, there is no record of actions or recommendations produced by this committee in 2018. (3,51) Furthermore, limited reporting revealed government concerns that the committee was not functioning properly. (52)

In 2018, the Labor Department collaborated with the Belize Sugar Cane Farmer's Association to study child labor in the sugarcane industry, specifically in the northern Corozal and Orange Walk districts. (3) The study identified 25 cases of child labor, and the Department applied a new approach of education and awareness instead of imposing penalties, because the cases were not considered severe. (3,50) The results of the study were shared with the Ministry of Human Development in late 2018. (53)

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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Child Labor Policy	Focuses on strengthening child labor laws, creating legislation to address existing gaps, and providing educational assistance to children who have been or who are currently engaged in child labor. (54,55) Aims to strengthen government institutions and services and to train labor officers. (45,55)
CARE Model	Coordinates the protection, care, and monitoring of sexually exploited and trafficked children. Outlines the role of the Department of Human Services and the BPD in receiving allegations of commercial sexual exploitation of children and referring children to services. (56)
National Results Framework for Children and Adolescents (Children's Agenda) 2017–2030	Launched in June 2017. (11,47,48) Sets out the government's agenda and priorities to protect the rights of children and adolescents, including in education, health, economic security and opportunity, and protection from discrimination, abuse, and exploitation, including child labor. (47) Raises awareness of the role of families in promoting early childhood education. (48) As part of this policy, government ministries received training from UNICEF Belize and private partners in 2018 on how to develop data dashboards that highlight outcomes of the Children's Agenda. (57)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (17)

Research was unable to identify actions taken during the reporting period under the National Child Labor Policy or the CARE Model.

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 to address the full scope of the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II)	\$7 million, USDOL-funded project, implemented by Winrock International and partners Verité and Lawyers Without Borders in seven countries to build local and national capacity of governments to address child labor. (3) As part of the CLEAR II project, Belize collaborated with USDOL to create the inter-agency Legislative Review Committee, which met regularly in 2018 to review legislative amendments on child labor. The committee has provided an opportunity for greater inter-agency collaboration and cooperation between responsible agencies that previously did not frequently interact or share information. (3,50) Additional information is available on the USDOL website.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (10,13,58)

Research found no evidence of government programs to combat commercial sexual exploitation of children or assist children working in agriculture, fisheries, or construction.

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 Belize (Table 11).

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits all forms of commercial sexual exploitation of children ages 16 and 17.	2013 – 2018
	Ensure that the minimum age for work is age 14 in all sectors.	2013 – 2018
	Adopt a list of hazardous occupations and activities prohibited for children and ensure that all children under age 18 are prohibited from engaging in hazardous work.	2009 – 2018
	Ensure that laws prohibit the use of children in specific illicit activities, such as the production and trafficking of drugs.	2013 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2018
Enforcement	Ensure that law enforcement agencies have sufficient resources to conduct labor inspections and criminal investigations, especially in rural areas and in areas where children are more vulnerable.	2009 – 2018
	Provide initial and refresher training on the worst forms of child labor to criminal investigators, and ensure that funding is sufficient to implement adequate training systems.	2018
	Ensure that the level of inspections and penalties are sufficient to deter child labor law violations.	2018
	Conduct targeted inspections in sectors in which child labor is known to occur.	2018
	Improve complaint mechanisms so that the case status of labor complaints can be tracked.	2018
	Impose criminal penalties for the worst forms of child labor and ensure that courts hear and try human trafficking cases.	2017 – 2018
	Publish complete information on enforcement efforts to combat child labor, including labor inspectorate funding and the number of criminal investigations.	2015 – 2018
Prosecute and penalize violations of the worst forms of child labor.	2018	
Coordination	Ensure that the National Child Labor Committee is developing and implementing recommendations, and provide oversight to ensure that the committee functions as intended.	2015 – 2018
Government Policies	Ensure that regular actions are taken to implement the National Child Labor Policy and CARE Model.	2018
Social Programs	Conduct a comprehensive study of children’s activities to determine whether they are engaged in or at risk for involvement in the worst forms of child labor, to inform policies and programs.	2018
	Increase access to education by eliminating fees, improving educational facilities, hiring additional qualified teachers, providing textbooks, uniforms, and meals, and addressing language barriers for Spanish-speaking students.	2011 – 2018
	Develop programs aimed at reducing child labor, including in agriculture, construction, and fisheries, and that address the commercial sexual exploitation of children.	2009 – 2018

REFERENCES

- UN Human Rights Council. Report of the Special Rapporteur on Trafficking in Persons, Especially Women and Children, Joy Ngozi Ezeilo. June 11, 2014. <http://www.ohchr.org/EN/Issues/Trafficking/Pages/visits.aspx>.
- U.S. Embassy- Belmopan. Reporting (TIP). February 28, 2019.
- U.S. Embassy- Belmopan. Reporting. January 15, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Activity Survey (SIMPOC), 2013. Analysis received March 12, 2016. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- ILO-IPEC. Report of the National Child Activity Survey. Geneva, Statistical Institute of Belize. 2015. Source on file.
- U.S. Embassy- Belmopan. Reporting. January 12, 2018.
- U.S. Embassy- Belmopan. Reporting. January 15, 2016.
- Ministry of Education official. Interview with USDOL official. December 22, 2017.
- U.S. Embassy- Belmopan. Reporting. January 21, 2014.
- NGO official. Interview with USDOL official. April 5, 2017.
- U.S. Embassy- Belmopan. Reporting. February 3, 2017.
- U.S. Embassy- Belmopan. Reporting. January 22, 2015.
- U.S. Department of State. Trafficking in Persons Report- 2017: Belize. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/belize/>.
- Child Development Foundation official. Interview with USDOL official. January 17, 2018.
- U.S. Department of State. 2019 Trafficking in persons Report: Belize June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/belize/>.
- U.S. Embassy- Belmopan. Reporting. February 14, 2017.
- Government of Belize. Education Act. Enacted: December 31, 2000. Source on file.

- 19 National Human Development Advisory Committee, Ministry of Economic Development, Commerce and Industry, and Consumer Protection. 2009 Country Poverty Assessment. August 2010. Source on file.
- 20 Carneiro, Francisco Galrao. Belize, right choices bright future. January 2016: Working Paper. World Bank Group. <http://documents.worldbank.org/curated/en/870551467995073017/Belize-right-choices-bright-future-systematic-country-diagnostic>.
- 21 U.S. Embassy- Belmopan. Email communication. January 25, 2019.
- 22 Government of Belize. Labour Act, Revised. Enacted: December 31, 2000. Source on file.
- 23 Government of Belize. Shops Act, Chapter 287, Revised Edition 2000. Enacted: December 31, 2000. <http://www.belizelaw.org/web/lawadmin/index2.html>.
- 24 Government of Belize. Families and Children Act, Revised Edition. Enacted: December 31, 2000. Source on file.
- 25 Government of Belize. The Constitution of Belize, Revised Edition. Enacted: December 31, 2000. Source on file.
- 26 Government of Belize. Commercial Sexual Exploitation of Children (Prohibition) Act, 2013, No. 3. Enacted: January 31, 2013. Source on file.
- 27 Government of Belize. Criminal Code. Enacted: December 31, 2000. Source on file. <https://www.state.gov/documents/organization/265776.pdf>.
- 28 Government of Belize. Trafficking in Persons (Prohibition) Act, 2013, No. 2. Enacted: January 31, 2013. Source on file.
- 29 Government of Belize. Defence Act, Revised Edition. Enacted: December 31, 2000. Source on file.
- 30 Government of Belize. Education and Training Act of 2010. Enacted: April 14, 2010. <http://planipolis.iiep.unesco.org/en/2010/belize-education-and-training-act-2010-4916>
- 31 U.S. Department of State. Country Reports on Human Rights Practices- 2016: Belize. Washington, DC. March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/belize/>.
- 32 Government of Belize. "Appendix: Hazardous Occupations for Young Workers," in National Child Labour Policy. 2009. Source on file.
- 33 ILO Committee of Experts. Individual Direct Request Concerning Minimum Age Convention, 1973 (No. 138) Belize (ratification: 2000) Published: 2017. Accessed January 5, 2018. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3294159.
- 34 ILO Committee of Experts. Individual Direct Request Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Belize (ratification: 2000) Published: 2015. Accessed November 7, 2015. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3185758.
- 35 ILO Committee of Experts. Individual Direct Request Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Belize (ratification: 2000) Published: 2017. Accessed October 22, 2017. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3294334.
- 36 U.S. Embassy Belmopan. Reporting. February 5, 2016.
- 37 U.S. Embassy Belmopan official. Email communication to USDOL official. April 29, 2015.
- 38 U.S. Embassy Belmopan official. Email communication to USDOL official. May 9, 2018.
- 39 U.S. Embassy- Belmopan. Reporting. March 16, 2015.
- 40 U.S. Embassy Belmopan. Office Email communication to USDOL official. March 9, 2017.
- 41 Department of State Office of Investment Affairs. Belize Country Commercial Guide. April 9, 2018. <https://www.export.gov/article?id=Belize-Labor>
- 42 Love FM. Eliminating child labour. November 27, 2018 <http://lovefm.com/eliminating-child-labour/>.
- 43 News 5 Live. News cast. November 29, 2018 <https://www.facebook.com/News5Live/videos/344709029660348/>.
- 44 ILO Committee of Experts. Individual Direct Request Concerning Forced Labour Convention, 1930 (No. 29) Belize (Ratification: 1983) Published: 2017. Accessed October 22, 2017. http://www.ilo.org/dyn/normlex/en/?p=NORMLEXPUB:13100:0::NO:PI3100_COMMENT_ID:3295515.
- 45 ILO Committee of Experts. Individual Direct Request Concerning Minimum Age Convention, 1973 (No. 138) Belize (ratification: 2000) Published: 2014. Accessed April 14, 2015. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3294159:NO.
- 46 Winrock International. CLEAR II. October 30, 2017: Technical Progress Report. Source on file.
- 47 Government of Belize. Children's Agenda 2017-2030-May 15, 2017. <http://humandevlopment.gov.bz/wordpress/wp-content/uploads/2017/06/Childrens-Agenda-2017-2030.pdf>.
- 48 The San Pedro Sun. The Children's Agenda 2017-2030 officially launched. June 15, 2017. <https://www.sanpedrosun.com/youth/2017/06/15/childrens-agenda-2017-2030-officially-launched/>.
- 49 The San Pedro Sun Sustainable and Child-Friendly Municipality Initiative Mayors Retreat October, 19, 2018. <https://www.sanpedrosun.com/community-and-society/2018/10/19/sustainable-child-friendly-municipality-initiative-mayors-retreat/>
- 50 U.S. Embassy Belmopan official. Email communication to USDOL official. January 24, 2019.
- 51 U.S. Embassy Belmopan official. Email communication to USDOL official. March 23, 2018.
- 52 Winrock International. CLEAR II Technical Progress Report. October 2018. Source on file.
- 53 7 News Belize. Child Labour, The Reality in Belize. August 7, 2018. <http://7newsbelize.com/sstory.php?nid=45766>.
- 54 Government of Belize. National Child Labor Policy. 2009. Source on file.
- 55 U.S. Embassy- Belmopan. Reporting. 2019.
- 56 UN Human Rights Council. Report of the Special Rapporteur on trafficking in persons. June 11, 2014. Source on file.
- 57 Community Systems Foundation Visualizing Real-Time Data to Map Progress of the Belizean National Children's Agenda. March 3, 2018. <https://www.communitysystemsfoundation.org/impact/visualizing-real-time-data-to-map-progress-of-the-belizean-national-childrens-agenda>.
- 58 Sugar online. Belize: Government teams with EU on child labour consultation. April 13, 2017. http://www.sugaronline.com/news/website_contents/view/1250346.

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 11. 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

REFERENCES

- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Benin (ratification: 2001). 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3780429.
- UN Human Rights Council. Report of the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, Najat Maalla M'jid, Mission to Benin. March 5, 2014: Report No. A/HRC/25/48/Add.3. https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session25/Documents/A_HRC_25_48_Add.3_ENG.DOC.
- Trusted Clothes. Little fingers: Child labour in the garment industry. April 2, 2017. <https://www.trustedclothes.com/blog/2017/04/02/little-fingers-child-labour-in-the-garment-industry/>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey, 2011-2012. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Signarbieux, Ludovic. Benin is giving more children a chance at education. Global Partnership for Education. February 20, 2019. <https://www.globalpartnership.org/blog/benin-giving-more-children-chance-education>.
- U.S. Embassy- Cotonou official. Email communication to USDOL official. February 17, 2015.
- U.S. Embassy- Cotonou. Reporting, January 25, 2019.
- U.S. Embassy- Cotonou official. Email communication to USDOL official. February 23, 2018.
- Savripène, M.A. Bénin: Le Travail des Enfants Prend des Proportions Inquiétantes. Gender Links. July 28, 2015. Source on file.
- U.S. Embassy- Cotonou. Reporting, March 26, 2019.
- U.S. Embassy- Cotonou. Reporting, January 20, 2017.
- Josaphat. Travail des enfants : L'éternel phénomène toujours irrésolu au Bénin. May 20, 2017. Benin Web TV. <https://beninwebtv.com/v1/2017/05/travail-enfants-leternel-phenomene-toujours-irresolu-benin/>.
- UNICEF Benin. Video; Vie des enfants dans les marchés Dantokpa, Ouando et Arzèkè du Bénin. January 20, 2017. Source on file.
- UN Committee on the Rights of the Child. Concluding observations on the combined third to fifth periodic reports of Benin. February 25, 2016: Report No. CRC/C/BEN/CO/3-5. <https://undocs.org/CRC/C/BEN/CO/3-5>.
- ECPAT. Rapport Global de Suivi de la Mise en Ouvre des Actions de Lutte Contre l'Exploitation Sexuelle des Enfants à des Fins Commerciales- Benin. 2014. http://www.ecpat.net/sites/default/files/A4A_AF_BENIN_FINAL.pdf.
- Government of Benin. Enquête sur la prostitution et la pornographie impliquant les enfants dans les villes de Cotonou et de Malanville. June 2016. Source on file.
- U.S. Embassy- Cotonou. Reporting, February 16, 2016.
- U.S. Department of State. Trafficking in Persons Report- 2018: Benin. Washington, DC. June 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/benin/>.
- U.S. Embassy- Cotonou. Reporting, January 18, 2018.
- U.S. Embassy- Cotonou. Reporting, February 14, 2017.
- UN Human Rights Council. Compilation on Benin - Report of the Office of the United Nations High Commissioner for Human Rights. August 24, 2017: A/HRC/WG.6/28/BEN/2. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/247/72/PDF/G1724772.pdf>.
- U.S. Department of State. Country Reports on Human Rights Practices- 2018: Benin. Washington, DC. March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/benin/>.
- Government of Benin. Constitution of the Republic of Benin. Enacted: 1990. <http://confinder.richmond.edu/admin/docs/Benin1990English.pdf>.
- Global Initiative to End All Corporal Punishment of Children. Country report for Benin. February 2016. <http://www.endcorporalpunishment.org/progress/country-reports/benin.html>.
- UN Human Rights Council. Summary of stakeholders’ submissions on Benin - Report of the Office of the United Nations High Commissioner for Human Rights. August 8, 2017: A/HRC/WG.6/28/BEN/3. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/234/97/PDF/G1723497.pdf?OpenElement>.
- UNICEF Data. “Benin” in Monitoring the Situation of Children and Women. Accessed February 2, 2018. <https://data.unicef.org/country/ben/>.
- Government of Benin. Code du travail, Loi n° 98-004. Enacted: January 27, 1998. https://fonacbenin.files.wordpress.com/2014/09/1998_loi-portant-code-du-travail.pdf.

- 29 Government of Benin. Code de l'enfant en République du Bénin, Loi n° 2015-08. Enacted: January 23, 2015. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/99941/119603/F-860169827/BEN-99941.pdf>.
- 30 Government of Benin. Liste des travaux dangereux interdits aux enfants en République du Bénin, Décret n° 200-029. Enacted: January 31, 2011. Source on file.
- 31 Government of Benin. Conditions de déplacement des mineurs et répression de la traite d'enfants en République du Bénin, Loi n° 2006-04. Enacted: April 10, 2006. <http://www.ilo.org/dyn/natlex/docs/SERIAL/73266/74783/F93417100/BEN73266.pdf>.
- 32 Government of Benin. Code pénal, Loi n° 2018-16. Enacted: December 28, 2018. Source on file.
- 33 Government of Benin. Prévention et Répression des Violences Faites aux Femmes, Loi n° 2011-26. Enacted: January 9, 2012. <http://www.bj.undp.org/content/dam/benin/docs/emancipationdesfemes/violences-faites-aux-femmes.pdf>.
- 34 Government of Benin. Statut Général des Personnels Militaires des Forces Armées Béninoises, Loi n° 2005-43. Enacted: June 26, 2006. Source on file.
- 35 Government of Benin. Orientation de l'Éducation Nationale en République du Bénin, Loi n° 2003-17. Enacted: November 11, 2003. <http://www.axl.cefan.ulaval.ca/afrique/benin-loi-17-2003.htm>.
- 36 ILO Committee of Experts. Individual Observation convening Minimum Age Convention, 1973 (No. 138) Benin (ratification: 2001). 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:3780443.
- 37 Government of Benin. Normes du Travail au Bénin. Cotonou, Ministère du Travail, de la Fonction Publique, et des Affaires Sociales. 2017. Source on file.
- 38 U.S. Embassy- Cotonou. Email communication to USDOL official. February 21, 2017.
- 39 U.S. Embassy - Cotonou official. Email communication to USDOL official. March 25, 2019.
- 40 U.S. Embassy - Cotonou. Email communication to USDOL official. May 24, 2019.
- 41 CIA. The World Factbook. Accessed June 7, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 42 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 43 U.S. Department of State official. Email communication to USDOL official. May 2, 2018.
- 44 U.S. Department of State. Trafficking in Persons Report - 2019: Benin. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report/benin/>.
- 45 U.S. Embassy- Cotonou official. Email communication to USDOL official. March 9, 2017.
- 46 U.S. Embassy- Cotonou. Reporting, November 8, 2017.
- 47 U.S. Embassy- Cotonou. Reporting, January 17, 2014.
- 48 U.S. Embassy - Cotonou official. Email communication with USDOL official. July 16, 2019.
- 49 U.S. Embassy- Cotonou. Email communication to USDOL official. February 12, 2016.
- 50 24haubenin.info. Bénin: Signature d'une Charte Contre l'Exploitation des Enfants. October 12, 2014. <http://www.24haubenin.info/?Benin-Signature-d-une-charte>.
- 51 U.S. Embassy- Cotonou. Reporting, January 14, 2015.
- 52 ACotonou.com. Bénin: adoption d'une politique nationale de protection de l'enfant. May 7, 2014. <http://news.acotonou.com/h/22863.html>.
- 53 Government of Benin and Government of Gabon. Accord de Cooperation en Matiere de Lutte Contre La Traite Transfrontaliere des Enfants. Libreville. November 9, 2018. Source on file.
- 54 Government of Benin. Plan Sectoriel de l'Éducation Post 2015 (2018–2030). Ministère des Enseignements Maternel et Primaire. April 2018. <https://www.globalpartnership.org/fr/content/plan-sectoriel-de-leducation-2018-2030-du-benin>.
- 55 UN Development Group. Rapport de Progrès UNDAF Edition 2016. January 2017. Source on file.
- 56 Government of Canada. Project Profile: Understanding Children's Work - Action Against Child Labour. January 27, 2017. <http://w05.international.gc.ca/projectbrowser-banqueprojets/project-projet/details/d000929001>.
- 57 World Bank. Benin Global Partnership for Education Program (PI29600). Implementation Status & Results Report: Sequence 07. December 27, 2017. <http://documents.worldbank.org/curated/en/333541514558135696/pdf/Dislosable-Version-of-the-ISR-Benin-Global-Partnership-for-Education-Program-PI29600-Sequence-No-07.pdf>.
- 58 World Bank. Implementation Completion and Results Report. January 31, 2019. <http://documents.worldbank.org/curated/en/517021549319128641/pdf/icr00004545-01312019-636848280538729682.pdf>.
- 59 Fominyen, George. Eat, grow, study: School feeding in Africa. World Food Programme. March 1, 2019. <https://insight.wfp.org/eat-grow-study-school-feeding-in-africa-e255da108eb0>.
- 60 USDA official. Email communication to USDOL official. April 1, 2019.
- 61 Government of Benin. Programme d'Action du Gouvernement 2016–2021. 2016. <http://www.cedatuac.org/attachments/article/79/consolidation PAG.pdf>.
- 62 ILO-IPEC Geneva official. Email communication to USDOL official. February 9, 2017.

In 2018, Bhutan made a minimal advancement in efforts to eliminate the worst forms of child labor. The government drafted standard operating procedures for identifying and referring human trafficking victims. In addition, government personnel received training on human trafficking. Although research is limited, there is evidence that children in Bhutan engage in the worst forms of child labor, including in forced domestic work and commercial sexual exploitation, sometimes as a result of human trafficking. Bhutan's minimum age for work is inconsistent with international standards and education is not compulsory. The government has not adopted a national policy to address child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Bhutan engage in the worst forms of child labor, including in forced domestic work and commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) Table 1 provides key indicators on children's work and education in Bhutan.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.8 (6,338)
Attending School (%)	5 to 14	84.7
Combining Work and School (%)	7 to 14	3.3
Primary Completion Rate (%)		95.1

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4, 2010. (4)

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	Farming, activities unknown (5,6)
Industry	Construction,† activities unknown (7)
Services	Domestic work (5,6)
	Work in hospitality services (6)
Categorical Worst Forms of Child Labor‡	Forced domestic work, sometimes as a result of human trafficking (1)
	Forced labor in karaoke bars, sometimes as a result of human trafficking (1)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2)
	Use in illicit activities, including the smuggling of tobacco (8)

† 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.

There is a lack of current data on child labor in Bhutan. To date, no national survey on child labor has been conducted.

Bhutan

MINIMAL ADVANCEMENT

The government provides a minimum of 11 years of free education to all Bhutanese citizens, and has committed to increasing free education by an additional 2 years. However, children living in remote villages, children of nomadic communities and migrant populations, and children with disabilities face significant difficulties in accessing public schools. (5,6,9,10)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Bhutan has ratified some key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	N/A
 ILO C. 182, Worst Forms of Child Labor	N/A
 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 Bhutan's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	13	Sections 170–171 of the Labor and Employment Act; Section 7 of the Regulation on Acceptable Forms of Child Labor (11,12)
Minimum Age for Hazardous Work	Yes	18	Sections 170–171 of the Labor and Employment Act (11)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 9(e) of the Labor and Employment Act; Section 9 of the Regulation on Acceptable Forms of Child Labor (11,12)
Prohibition of Forced Labor	Yes		Sections 6 and 9(a) of the Labor and Employment Act; Sections 154, 227, and 379 of the Penal Code; Section 221 of the Child Care and Protection Act (11,13,14)
Prohibition of Child Trafficking	No		Section 9(a) of the Labor and Employment Act; Sections 221 and 224 of the Child Care and Protection Act; Sections 227, 379, and 380 of the Penal Code (11,13,14)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 9(b) of the Labor and Employment Act; Sections 222–224 of the Child Care and Protection Act; Sections 225 and 375–380 of the Penal Code (11,13,14)
Prohibition of Using Children in Illicit Activities	Yes		Section 9(c) of the Labor and Employment Act; Sections 216 and 220 of the Child Care and Protection Act (11,13)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Defense Service Rules and Regulations (15)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 9(a) of the Labor and Employment Act (11)
Compulsory Education Age	No		
Free Public Education	Yes		Article 9.16 of the Constitution of the Kingdom of Bhutan (16)

* No conscription (15)

The minimum age for work is not compliant with international standards because the Labor and Employment Act allows children under age 14 to work. (11) In addition, Bhutan has no compulsory age for education, which may increase the risk of children’s involvement in child labor. (17)

Bhutan’s criminal prohibitions against child trafficking do not adhere to international standards because Bhutan’s laws require proof of use of force, fraud, or coercion to criminalize child trafficking. (11,13)

While sources report that the minimum age for voluntary recruitment into Bhutan’s military is 18, research was unable to uncover a public version of the Defense Service Rules and Regulations. (15)

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 Human Resources (MOLHR) 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 Human Resources (MOLHR)	Investigates child labor complaints and ensures that employers comply with child labor laws. Refers cases involving the worst forms of child labor to the police. (6)
Royal Bhutan Police	Investigate and enforce criminal laws relating to the worst forms of child labor. (6) Includes 3 Women and Child Protection Units and 10 Women and Child Protection Desks to enforce laws protecting women and children. (18,19) Refer abused and exploited children to child welfare officers and the National Commission for Women and Children. (14)
Child Welfare Officers	Protect and assist children in difficult circumstances, including children abused and exploited for illegal purposes. (6,14)
Royal Court of Justice	Adjudicates cases involving child labor. (6)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Bhutan took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOLHR that may hinder adequate labor law enforcement, including limited resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$23,000 (17)	Unknown (6)
Number of Labor Inspectors	23 (17)	24 (6)
Inspectorate Authorized to Assess Penalties	Yes (17)	Yes (6)
Initial Training for New Labor Inspectors	N/A (7)	Unknown (6)
Training on New Laws Related to Child Labor	N/A (17)	N/A
Refresher Courses Provided	No (17)	Unknown (6)
Number of Labor Inspections Conducted	2,169 (17)	2,256 (6)
Number Conducted at Worksite	2,169 (17)	2,256 (6)
Number of Child Labor Violations Found	0 (17)	0 (6)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (17)	0 (6)
Number of Child Labor Penalties Imposed that Were Collected	0 (17)	0 (6)
Routine Inspections Conducted	Yes (17)	Yes (6)
Routine Inspections Targeted	Yes (17)	Yes (6)
Unannounced Inspections Permitted	Yes (17)	Yes (17)
Unannounced Inspections Conducted	Yes (17)	Yes (6)
Complaint Mechanism Exists	Yes (17)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (17)	Yes (6)

Bhutan

MINIMAL ADVANCEMENT

The MOLHR has reported that limited resources place constraints on the number of inspections conducted and inspectors employed. (20)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Bhutan 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 data on efforts to investigate, prosecute, and convict crimes involving child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (17)	Unknown (6)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (17)	N/A
Refresher Courses Provided	Yes (21)	Unknown (6)
Number of Investigations	Unknown (17)	Unknown (6)
Number of Violations Found	Unknown (17)	Unknown (6)
Number of Prosecutions Initiated	Unknown (17)	Unknown (6)
Number of Convictions	Unknown (17)	Unknown (6)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (17)	Yes (6)

In 2018, government agencies collaborated with UNODC to conduct human trafficking training programs for government personnel, including 129 law enforcement officials, legal officers, and prosecutors. (22)

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 the efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Child Labor Task Force	Coordinates government efforts on child labor across multiple government agencies and ministries. Led by the MOLHR and comprises representatives from government, international organizations, civil society, and the private sector. (23,24)
National Commission for Women and Children (NCWC)	Coordinates the implementation of laws and policies that promote and protect the rights of women and children. Comprises a chairperson at the cabinet level, and high-level officials who represent relevant government agencies, non-government organizations, and the private sector. (25)
Department of Law and Order	Coordinates anti-trafficking in persons efforts, including leading regular meetings with all government agencies and other relevant stakeholders. (22)

Research was unable to determine whether the coordinating bodies for the government's child labor initiatives undertook activities during the reporting period.

V. GOVERNMENT POLICIES ON CHILD LABOR

Research found no evidence that the government has established policies to address child labor. The government had policies that may have addressed child labor issues or had an impact on child labor; however, child labor elimination and prevention strategies have not been included in these policies. (26,27)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that may contribute to the prevention or elimination of child labor (Table 9). However, gaps exist in these social programs, including the lack of information on whether efforts are being taken to address child labor in all relevant sectors.

Table 9. Key Social Programs to Address Child Labor

Program	Description
Project Hope†	National Commission for Women and Children program that provides residential shelters for children at risk of labor exploitation. Targets children on the street and provides them with counseling, group therapy, and assistance enrolling in school. (28) Research was unable to determine what activities were undertaken to implement the program during the reporting period.
Women and Children's Shelter‡	Respect, Education, Nurture, and Empower Women, a Thimphu-based NGO, receives government funding to provide shelter, counseling, and rehabilitation for women and children who have been victims of human trafficking. (28) Research was unable to determine what activities were undertaken to implement the program during the reporting period.
Enhance Government and Civil Society Responses to Counter Trafficking in Persons (2013–2018)	\$750,000 UNODC-funded program that sought to improve law enforcement responses, strengthen coordination, increase awareness, and improve protection mechanisms for addressing trafficking in persons. (29,30) In 2018, worked with the government to draft standard operating procedures for identifying and referring human trafficking victims, coordinating across agencies, and collaborating across borders. Additionally, conducted 18 awareness-raising programs for individuals in high-risk industries and district government officials. (22)
Improving Rural Children's Access to Basic Education with a Focus on Primary Education (2014–2018)	\$8.58 million WFP-funded program that provided financial support to rural primary schools. (29) Aimed to increase primary school enrollment, retention, and graduation by providing school breakfasts and lunches to students. Implemented in 232 schools across the country, reached 37,000 children annually, and supported school construction and kitchen improvements. (28,29) Research was unable to determine what activities were undertaken to implement the program during the reporting period.

† Program is funded by the Government of Bhutan.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (30)

While the Government of Bhutan has implemented programs that target children at risk of labor exploitation, research found no evidence that these programs target children working in agriculture or domestic service, or children involved in the worst forms of child labor, including in forced domestic work.

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 Bhutan (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2018
	Ensure that laws on child labor comply with the international standard for the minimum age for work.	2010 – 2018
	Make primary education compulsory and ensure that the compulsory age extends to the minimum age for employment.	2010 – 2018
	Criminally prohibit child trafficking without needing proof of the use of force, fraud, or coercion.	2018
	Publish the Defense Service Rules and Regulations that prohibit the recruitment of children under age 18 into Bhutan's military.	2018
Enforcement	Publish child labor law enforcement data, including the amount of funding for the Labor Inspectorate, and if new and veteran labor inspectors received training.	2017 – 2018
	Ensure that the MOLHR has the resources necessary to enforce labor laws and combat child labor.	2014 – 2018
	Publish information on training of investigators responsible for enforcing criminal laws prohibiting the worst forms of child labor; and publish data on the number of investigations, violations, prosecutions, and convictions of crimes involving the worst forms of child labor.	2010 – 2018
Coordination	Ensure that coordinating bodies take actions to address child labor.	2017 – 2018

MINIMAL ADVANCEMENT

Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Government	Adopt a policy to address child labor, including its worst forms.	2016 – 2018
Policies	Integrate child labor elimination and prevention strategies into existing relevant policies.	2014 – 2018
Social Programs	Conduct a national child labor survey and publish the results.	2013 – 2018
	Implement programs to make education more accessible for children living in remote locations, children of nomadic communities and migrant populations, and children with disabilities.	2014 – 2018
	Create social programs targeting working children, particularly in agriculture, and children engaged in the worst forms of child labor, including forced domestic work.	2009 – 2018
	Publish information about the implementation of child labor-related programs, such as Project Hope.	2017 – 2018

REFERENCES

- U.S. Department of State. Trafficking in Persons Report 2018: Bhutan. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/bhutan/>.
- National Commission for Women and Children. Study on Violence Against Children in Bhutan. May 2016. Source on file.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4, 2010. Analysis received March 12, 2019. Please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- UN Human Rights Council. Report of the Special Rapporteur on the right to education: Mission to Bhutan. Prepared by Kishore Singh. June 3, 2015. <http://www.refworld.org/country,,,BTN,,5583f1b64,0.html>.
- U.S. Embassy-New Delhi. Reporting. April 8, 2019.
- U.S. Department of State official. E-mail communication to USDOL official. June 6, 2018.
- U.S. Embassy-New Delhi. Reporting. January 22, 2016.
- Tshering, Nima. Advocating Girl-Friendly Boarding Schools in Bhutan: Toward Improving Quality Learning Opportunities and Outcomes for Bhutanese Girls. September 22, 2014. Brookings. <http://www.brookings.edu/blogs/education-plus-development/posts/2014/09/22-improving-quality-learning-bhutan-tshering>.
- Government of Bhutan. Address by the Honorable Prime Minister of Bhutan. March 12, 2019. <https://www.cabinet.gov.bt/address-by-the-honorable-prime-minister-of-bhutan-his-excellency-lyonchhen-dr-lotay-tshering-at-the-inaugural-session-of-the-14th-round-table-meeting/>.
- Government of Bhutan. Labour and Employment Act of Bhutan. Enacted: 2007. http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/80218/86462/F1162145166/BTN80218_English.pdf.
- Government of Bhutan. Regulation: Acceptable Forms of Child Labour. Enacted: 2009. http://www.molhr.gov.bt/molhrsite/wp-content/uploads/2012/07/regulation_working_condt.pdf.
- Government of Bhutan. Penal Code of Bhutan. Enacted: 2004. http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/87826/100246/F1820522728/BTN87826_English.pdf.
- Government of Bhutan. Child Care and Protection Act. Enacted: 2011. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-new_delhi/documents/genericdocument/wcms_300620.pdf.
- UN Committee on the Rights of the Child. Periodic Reports of States Parties due in 2011: Bhutan. Prepared by Government of Bhutan, Article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. August 29, 2016: CRC/C/OPAC/BTN/1. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPAC/BTN/1&Lang=en.
- Government of Bhutan. The Constitution of the Kingdom of Bhutan. Enacted: 2008. http://www.nationalcouncil.bt/assets/uploads/docs/acts/2017/Constitution_of_Bhutan_2008.pdf.
- U.S. Embassy-New Delhi. Reporting. April 11, 2018.
- Royal Bhutan Police. Woman and Child Protection Division. 2014. <http://www.rbp.gov.bt/wcpu.php>.
- U.S. Embassy-New Delhi. Reporting. April 8, 2019.
- U.S. Embassy-New Delhi. Reporting. January 20, 2017.
- UNODC. Bhutan: Police, government and prosecutors join hands against trafficking. June 12-14, 2017. http://www.unodc.org/southasia/en/frontpage/2017/June/bhutan_-_police-government-and-prosecutors-join-hands-against-trafficking.html.
- U.S. Embassy-New Delhi. Reporting. April 8, 2019 b.
- U.S. Department of State official. E-mail communication to USDOL official. April 21, 2017.
- UN Committee on the Rights of the Child. List of issues in relation to the combined third to fifth periodic reports of Bhutan, Addendum. May 2, 2017: CRC/C/BTN/Q/3-5/Add.1. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/BTN/Q/3-5/Add.1&Lang=en.
- National Commission for Women and Children. NCWC Background. Accessed February 21, 2019. <https://www.ncwc.gov.bt/aboutus>.
- Youth Development Fund Secretariat. A Strategic Plan for the Child Protection and Care Services for Youth Development Fund: 2014. June 27, 2014. <http://www.bhutaneyouth.org/wp-content/uploads/2014/12/Strategic-Plan-Child-Protection-and-Care-Services.pdf>.
- Government of Bhutan. National Youth Policy. Department of Youth and Sports. 2011. http://www.youthpolicy.org/national/Bhutan_2011_National_Youth_Policy.pdf.
- U.S. Embassy-New Delhi. Reporting. January 22, 2014.
- World Food Programme. Development Project – Bhutan 200300: Improving Children’s Access to Education. 2013. http://one.wfp.org/operations/current_operations/project_docs/200300.pdf.
- Gross National Happiness Commission. Eleventh Five Year Plan 2013–2018. 2013. <https://www.gnhc.gov.bt/12rtm/wp-content/uploads/2011/04/11-FiveYearPlan2013/10/Eleventh-Five-Year-Plan-Volume-I-Final.pdf>.

In 2018, Bolivia made a moderate advancement in efforts to eliminate the worst forms of child labor. Following the Plurinational Constitutional Tribunal (TCP) decision that ruled unconstitutional provisions of the 2014 Child and Adolescent Code which allowed children as young as 10 years old to work, in December 2018 President Evo Morales signed complementary legislation that further clarified the minimum age of 14 years. The legislation eliminated remaining provisions that permitted children to work at ages 12 and 13. The labor inspectorate also increased the number of labor inspectors, mobile inspection units, and the number of inspections conducted throughout the year. In addition, the major sugar-producing Department of Santa Cruz addressed child labor in the sector through several social programs. However, children in Bolivia engage in the worst forms of child labor, including in mining and commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Although Bolivian law requires that apprentices attend school, it does not set a minimum age for participation in apprenticeships. In addition, Article 1 of Supreme Decree No. 1875 sets the minimum age for compulsory military service at 17 years, which does not comply with international standards.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bolivia engage in the worst forms of child labor, including in mining and commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) Table I provides key indicators on children’s work and education in Bolivia.

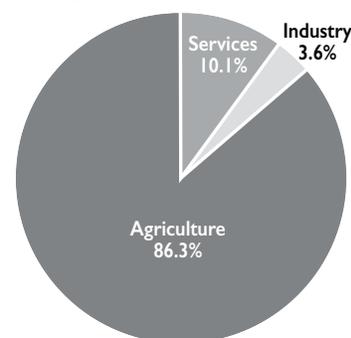
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	7 to 14	15.2 (265,746)
Attending School (%)	7 to 14	97.4
Combining Work and School (%)	7 to 14	14.5
Primary Completion Rate (%)		92.9

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (3)

Source for all other data: International Labor Organization’s analysis of statistics from Encuesta Continua de Hogares Survey, 2017. (4)

Figure I. Working Children by Sector, Ages 7-14



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	Planting and harvesting corn and peanuts (5)
	Production and harvesting of Brazil nuts/chestnuts† and sugarcane† (2,5,7)
	Ranching and raising cattle† and plucking chickens (2,9,10)

Bolivia

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Mining† of gold, silver, tin, and zinc (1,2,7,8,12)
	Construction,† including heavy lifting and shoveling (2)
	Production of bricks† (2,13,14)
Services	Street vending, juggling, shoe shining, and assisting transportation operators (2,15-18)
	Cleaning cemeteries (graves) and hospitals† (17-19)
	Domestic work (2,20,21)
	Restaurant work, activities unknown (12)
Categorical Worst Forms of Child Labor‡	Forced labor in ranching, and in the production and harvesting of Brazil nuts and sugarcane (7,11,21,22)
	Forced begging, and forced labor in mining and domestic service (2,9,11,21,23)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,24)
	Forced illicit activities, including robbery and producing or transporting drugs (9,11,21,25)

† 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.

Children produce and harvest sugarcane and Brazil nuts in the Departments of Beni, Pando, Santa Cruz, and Tarija. (1,7) Indigenous children are particularly vulnerable to the worst forms of child labor. (21) Some indigenous Guaraní families live in debt bondage and work on ranches, including raising cattle, in the Chaco region of Bolivia. (21) In Tarija, the sugar cane and Brazil nut harvest seasons attract over 3,000 internal migrants, increasing the vulnerability of these workers—many of them children—to forced labor and human trafficking. (11)

The cultural practice known as *padrinazgo*, which involves rural families sending their children to urban areas to live with individuals for better access to education, social services, and food, often leads to forced labor, including in domestic work and third party businesses. Girls, on average age 14, were found to be engaged in commercial sexual exploitation in El Alto. (11) Bolivian children are also smuggled to other countries, where they are vulnerable to commercial sexual exploitation. (21) The government does not have a system in place to track data on forced child labor, commercial sexual exploitation of children, or engagement of children in illicit activities. (11)

Bolivian law requires children to attend school up to age 17. Ministry of Labor (MOL) officials report that the school desertion rate dropped from 5 percent in 2006 to 2 percent in 2018. (2) However, attendance rates for secondary education remain low in rural areas. (23,27,28)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Bolivia 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 Bolivia's legal framework to adequately protect children from child labor, including the prohibition of military recruitment.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Articles 8 and 58 of the General Labor Law; Article 129 of the Child and Adolescent Code; Sentence 0025/2017 of the Plurinational Constitutional Tribunal; Article 3 of Law No. 1139 (29-32)
Minimum Age for Hazardous Work	Yes	18	Articles 58 and 59 of the General Labor Law; Articles 5 and 136 of the Child and Adolescent Code (29,30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 136 of the Child and Adolescent Code (30)
Prohibition of Forced Labor	Yes		Articles 15, 46, and 61 of the Constitution; Article 291 of the Penal Code; Article 34 of the Comprehensive Law against Human Trafficking and Smuggling (33-35)
Prohibition of Child Trafficking	Yes		Article 15 of the Constitution; Article 34 of the Comprehensive Law against Human Trafficking and Smuggling (33,35)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 34 and 35 of the Comprehensive Law against Human Trafficking and Smuggling (35)
Prohibition of Using Children in Illicit Activities	Yes		Article 56 of the Law on Coca and Controlled Substances (36)
Minimum Age for Voluntary State Military Recruitment	Yes	16*	Articles 1 and 2 of the General Directive of Pre-Military Recruitment; Articles 2 and 7 of the Law of National Military Service (37,38)
Prohibition of Compulsory Recruitment of Children by (State) Military	No	17	Articles 108 and 249 of the Constitution; Article 1 of Supreme Decree No. 1875; Article 1 of Supreme Decree No. 21479 (33,39,40)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	17‡	Article 81 of the Constitution; Articles 1, 8–9, and 11–14 of the Avelino Siñani-Elizardo Pérez Education Law (33,41)
Free Public Education	Yes		Articles 17 and 81 of the Constitution; Article 1 of the Avelino Siñani-Elizardo Pérez Education Law; Article 115 of the Child and Adolescent Code (30,33,41)

*The minimum age for combat is 18 per Article 36 of the Law of National Military Service (37)

‡ Age calculated based on available information

On December 19, 2018, the Bolivian National Assembly passed legislation modifying the 2014 Child and Adolescent Code, which President Evo Morales officially signed into law on December 20. The amendments removed provisions of the Child and Adolescent Code that allowed children ages 12 and 13 to work, clarifying that the minimum age of work in Bolivia is 14. (30,32,42,43) The Code allows children ages 14 to 18 to work with authorization from the Offices of the Child Advocate on the conditions that the work is not precarious to the child's well-being and is not conducted for more than 8 hours a day and 40 hours a week. (32) However, because the minimum age for work is still lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (32)

Although Bolivian law requires that apprentices attend school, it does not set a minimum age for participation in apprenticeships. (29,44) Articles 108 and 249 of the Constitution require Bolivian males to perform compulsory military service in accordance with national law. (33) Article 1 of Supreme Decree No. 1875, passed in 2014, lowered the minimum age at which compulsory military service may begin from age 18, as previously established, to age 17, which does not comply with international standards. (39,40)

Bolivia

MODERATE ADVANCEMENT

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the MOL that may hinder adequate enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Enforces child labor laws, in part through its Fundamental Rights Unit, which also addresses forced labor of indigenous peoples. (45) Refers cases to the Labor Courts for adjudication of penalties and unpaid wages. (9) Engages municipal Offices of the Child Advocate to ensure the protection of children's rights. (2,46) Assists in the implementation of the Child and Adolescent Code. (2,30)
Municipal Offices of the Child Advocate	Authorizes children from the age of 14 to engage in work and registers them in the government's Child and Adolescent Information System (SINNA), pursuant to the Child and Adolescent Code. Protects the rights and welfare of children, including by accompanying child labor inspectors and referring criminal child labor cases to prosecutors and for social services. (2,30)
Prosecutor's Office	Enforces criminal laws against forced labor, trafficking of children, commercial sexual exploitation, and the use of children in illicit activities at a departmental level in coordination with the Attorney General. (2,47)
Ministry of Justice and Transparency	Creates and administers the SINNA, in which municipal Offices of the Child Advocate register children ages 14 and up to work, as required by the Child and Adolescent Code. (30,32)
Attorney General's Office	Oversees all human trafficking investigations and prosecutions on a national level. (47) Oversees through its National Coordinator's Office regional prosecutors who, in conjunction with the Bolivian National Police, pursue cases of human trafficking. Maintains a database of human trafficking cases. (47)
Bolivian National Police	Maintains the Special Force in the Fight Against Crime (FELCC), which runs 15 investigative human trafficking units, and the Police Unit for Migratory Control and Assistance, which patrols national borders. (8,48,49)

During the reporting period, the Child Advocate Offices worked on awareness-raising campaigns for children and their parents on their rights and responsibilities under the new Child and Adolescent Code. (2) In La Paz, the Child Advocate Office conducted interviews on radio and television to inform families about the new code, and UNICEF is working with the city government to organize an informational campaign. (50) Following the amendment of the Code, Municipal Offices of the Child Advocate are now responsible for registering working children ages 14 and older in the government's Child and Adolescent Information System (SINNA). (2,32) However, the 2014 Code transferred this registration responsibility to municipal governments without additional resources.

Reports indicate that up to 15 percent of municipalities in Bolivia lack an Office of the Child Advocate; many more are reported to lack sufficient resources and the capacity to perform their mandate and raise awareness of children's rights and their parents' obligations under the Code. (11) This lack of institutional coverage may leave certain children particularly vulnerable to child labor. (8,9,51)

In La Paz and Santa Cruz, Child Advocate Offices reported additional barriers to implementation of the registration section of the Code. These barriers include lack of cooperation from parents to register their working children and prohibitive financial obstacles to obtain the proper paperwork required for registration. (11)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Bolivia took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including the lack of proper financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown (2)
Number of Labor Inspectors	87 (11,52)	106 (2)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Inspectorate Authorized to Assess Penalties	No (11)	No (2)
Initial Training for New Labor Inspectors	Yes (11)	Yes (2)
Training on New Laws Related to Child Labor	Yes (11)	Yes (2)
Refresher Courses Provided	Unknown (11)	Unknown (2)
Number of Labor Inspections Conducted	850 (11,52)	4,426 (2)
Number Conducted at Worksite	Unknown (11)	Unknown (2)
Number of Child Labor Violations Found	Unknown (11)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (11)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (11)	Unknown (2)
Routine Inspections Conducted	Unknown (11)	Unknown (2)
Routine Inspections Targeted	Yes (11)	Unknown (2)
Unannounced Inspections Permitted	Yes (9)	Yes (2)
Unannounced Inspections Conducted	Unknown (11)	Yes (2)
Complaint Mechanism Exists	Yes (11)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (2)

In 2018, government officials reported contributing additional resources for monitoring, evaluating, and addressing child labor in all sectors, though they did not provide monetary specifics. (2) The labor inspectorate increased the number of inspectors, including the number of child labor inspectors, from 6 in 2017 to 14 in 2018. All 106 labor inspectors received specialized training to identify forced and child labor infractions during the reporting period. (2)

The MOL also continued to use mobile inspection offices to augment the ability of inspectors to examine child labor issues. The number of mobile units increased from 20 in 2017 to 42 in 2018, which greatly contributed to the MOL's ability to conduct additional inspections during the reporting period. (50) Each mobile unit is made up of 2 general labor inspectors and 1 child labor specialist who travel to predominately rural areas throughout the country to conduct unannounced inspections. (2) However, the number of labor inspectors is likely insufficient for the size of Bolivia's workforce, which includes approximately 5.7 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Bolivia would employ about 380 labor inspectors. (53)

The MOL, Prosecutor's Office, and the Ministry of Justice do not have a consolidated database or systemized records of the number of violations found related to child labor. (2) Labor inspectors lack necessary resources to enforce labor laws, especially in the Chaco region. (6) Additionally, the government does not publish information regarding labor inspectorate funding. (2)

The government reported that children removed from child labor are referred to the municipal Offices of the Child Advocate for services. While law mandates that every municipality in the country have a dedicated Child Advocate Office, not every municipality does, and information on the number of children removed from child labor and whether they received services is not publicly available. (2) Rural offices of the Child Advocate in municipalities throughout the country lack proper funding, personnel, and materials. While municipalities are required to allot a certain percentage of their budget to the Child Advocate's office, this percentage has decreased over the last few years. (2)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Bolivia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal law enforcement agencies that may hinder adequate criminal law enforcement, including allocating financial resources to conduct criminal investigations.

Bolivia

MODERATE ADVANCEMENT

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (11)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (11)	Yes (2)
Refresher Courses Provided	Unknown (11)	Unknown (2)
Number of Investigations	Unknown (52)	Unknown (2)
Number of Violations Found	Unknown (11)	Unknown (2)
Number of Prosecutions Initiated	Unknown (11)	52 (2)
Number of Convictions	Unknown (11)	Unknown (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (11)	Yes (47)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (2)

In 2018, the Bolivian National Police held the Second National Conference of Human Trafficking Divisions of the Special Anti-Crime Force and conducted training and communication courses on trafficking in persons for the public. (24) The Public Ministry registered 359 trafficking-in-persons investigation in 2018, 77 of which related to child pornography. (24) Although the government provided data on human trafficking cases during the reporting period, the data were not disaggregated to reflect cases of the worst forms of child labor. (24)

Children rescued from the worst forms of child labor are often not referred to social service providers because some cities lack shelters and other social services for children. (11,24,54,55) Shelters maintained by departmental governments are underfunded and child victims were often cast out of shelters on the basis of fixed timelines—after spending the maximum number of days allowed—rather than an assessment of need. (24) The government did not report the number of children referred to receive social services. While children can report workforce abuse to the Child Advocate’s Office, they rarely do. (11)

Many criminal law enforcement agencies reported that funding levels were inadequate to carry out their mandates. (56) Additionally, low rates of dedicated training on human trafficking hampered law enforcement efforts. The high rate of rotation among police, prosecutors, and judges—a standard practice to help combat corruption—leads to insufficient knowledge, lack of experience on human trafficking, and a judicial backlog for these types of cases. (54)

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 efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
National Commission for the Progressive Eradication of Child Labor (CNEPTI)	Coordinates national enforcement efforts on child labor issues. Led by the MOL, and includes the Ministries of Justice, Education, and Planning, and several NGOs. (2)
Plurinational System for the Comprehensive Protection of Children and Adolescents (SIPPROINA)	Coordinates national efforts to manage and implement the Plurinational Plan for Children and Adolescents, the Coordinating Council for Children and Adolescents, and the Congress on Children’s Rights. Evaluates and advises on national plans, public policies, reports, and budget allocation relating to children’s and adolescents’ rights. (30) In coordination with the National Institute of Statistics, monitors and updates the SINNA. Led by the Ministry of Justice. (30)
Plurinational Council to Combat the Trafficking and Smuggling of Persons	Coordinates anti-trafficking efforts and implements national laws and policies on human trafficking and smuggling. (2,35,57) Chaired by the Minister of Justice and comprising eight ministries, the Public Advocate, and NGOs. (48) Leaders from the Council participated in the Ministry of Government’s National Convention Against Human Trafficking and Smuggling of Migrants held in September 2018. (24)
Department-Level Councils against Human Trafficking and Smuggling	Coordinates efforts of the Plurinational Council in Bolivia’s nine departments. Comprising officials from the Special Force in the Fight Against Crime, the MOL, the Ministries of Migration and Education, the Human Rights Ombudsman’s Office, and NGO representatives. (8,35,57)

The National Commission for the Progressive Eradication of Child Labor has not fulfilled its role as the central coordinating body, and its activities, while ongoing, have not resulted in any significant coordination. (2) Reports also indicate that some of the MOL's departmental sub-commissions on child labor have not been active, due in part to a lack of resources. (8,23)

The Comprehensive Law against Human Trafficking and Smuggling mandates that the Plurinational Council to Combat the Trafficking and Smuggling of Persons include NGOs. However, reports indicate that NGOs have not participated fully in this Council despite NGOs' efforts to be included. (48) Reports also indicate that some Department-Level Councils against Human Trafficking and Smuggling have yet to develop department-level plans to combat human trafficking, as mandated by law. (9,35,56,57)

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 implementing a new national action plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
Bolivian General Plan for Economic and Social Development (2016–2020)	Sets goals for economic and social development including eliminating child labor. (58) The Plan was active during the reporting period. (47)
National Action Plan to Combat Trafficking and Smuggling of Persons (2015–2019)	Establishes eight lines of action drawn from the five core areas of the Plurinational Policy to Combat Trafficking and Smuggling of Persons, including building capacity and coordination among criminal law enforcement agencies. Replaces the 2013–2017 policy. (24,47,61) During the reporting period, the technical secretary of the National Council on Human Trafficking reported that the government used the 2015–2019 National Action Plan as a general guide while updating their 2016–2020 National Action plan. (24,47)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (62)

Bolivia's national policy for addressing child labor, the National Plan for the Progressive Eradication of Child Labor (2000–2010), expired in 2010. (63)

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 funding and adequacy of programs to address the full scope of the problem in all sectors and regions.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Juancito Pinto Subsidy Program†	Government program that provides a conditional cash transfer to all primary and some secondary school students to increase school attendance and reduce the dropout rate. In 2018, provided \$68.1 million to more than 2 million participating students. (2)
Safe Terminal Program*	A child sex tourism prevention campaign launched by the Bolivian government in 2018 which includes training, awareness activities, and informational workshops for officials of transport and accommodation companies in the city of La Paz. (24) In the department of Tarija, the campaign focuses on the development and implementation of codes of ethics and conduct to promote children's' rights in private sector companies' corporate social responsibility programs. (24)
Human Rights of Children Working in Sugarcane, Brazil Nuts, and Mining†	Human Rights Ombudsman's Office program that promotes the elimination of the worst forms of child labor, along with labor and social protections for working adolescents ages 14 to 17. Launched in 2013 in the Tarija, Potosí, and Beni Departments and expanded in 2014 to monitor the use of child labor in sugarcane harvesting in Santa Cruz. (64) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.

Bolivia

MODERATE ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Bolivian Foreign Trade Institute's Triple Seal Initiative	Ministry of Labor collaboration with the Bolivian Institute of Standardization and Quality (IBCE), UNICEF, and the ILO to develop a voluntary certification program that recognizes companies that comply with Bolivian law and ILO conventions on child labor, forced labor, and worker discrimination in the production of their goods. (8,65) In 2018, the Santa Cruz government continued to collaborate with private industry to implement this initiative to reduce child labor, which was established in 2016. Through the government led initiative, the IBCE trains sugarcane workers in Santa Cruz on child labor laws, monitors product sites for violations, supports school attendance for the children of sugarcane workers, and audits the producers, providing a "Triple Seal" if child labor is not used in the production of the sugar. (2,65)
Child Trafficking Awareness-Raising Campaigns†	Government program implemented with the Bolivian Network for the Fight Against Human Trafficking and Smuggling that conducts awareness-raising campaigns to educate the public about the Comprehensive Law against Human Trafficking and Smuggling. (46,66) In 2018, the Human Rights Ombudsman's Office carried out a public awareness campaign, entitled <i>Seducción/Trabajo + Trampa = Tráfico de Personas</i> (Seduction/Work + Tricks = Human Smuggling and Trafficking in Persons), which focused on measures to prevent human trafficking. (24) The Ministry of Government also conducted two human trafficking prevention campaigns: <i>Que la Trata no Borre tu Sonrisa</i> (Don't Let Human Smuggling Erase Your Smile) and <i>Una Persona Informada es una Víctima Menos</i> (One Informed Person is One Less Victim). (24)
Program to Protect the Rights of Children and Adolescents	Government collaboration with UNICEF and funding from the Government of Italy and the Swiss Cooperation Agency. Provides education assistance in 17 Bolivian Brazil nut and sugarcane-producing municipalities. Seeks to improve living conditions of 2,300 families and reintegrate 3,400 children in school. (67) The program continued to be implemented during the reporting period. (50)
Social Risk Program	Established by the Mayor of La Paz, provides financial support to allow children to choose school over work, or to finish their school day before attending work. (2) The Mayor's Office continued to implement this program in 2018. (2)
Critical Route (Ruta Crítica)*	Program created by the La Paz Child Advocate's Office to better identify working children, facilitate registration of working children with the Advocate's Office, and help working children understand their legal rights. (2)

* Program was launched during the reporting period.

† Program is funded by the Government of Bolivia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (23,67-70)

In 2018, the major sugar-producing Department of Santa Cruz created the Responsible Consumer Program (Programa de Consumidor Responsable), a strategic communication program to educate consumers on the harm of supporting products made with child labor. (2) The program has broadcast information on Bolivian television and radio programming and is working with the private sector to encourage labels to identify products free of child labor. (50) The Santa Cruz Department government and the Child Advocate's Office continue to implement the "Markets that Support Childhood" Program, which offers education, health, and childcare centers in markets throughout the city (called "*Mercados amigos de la niñez*") to provide a safe environment where parents can leave their children instead of having them also engage in work. (2)

Although Bolivia has programs that target child labor, the scope of these programs is insufficient to address the extent of the problem, particularly in the production of Brazil nuts and sugarcane, ranching and cattle raising, mining, domestic work, street work, and commercial sexual exploitation. (23) Although the *Juancito Pinto* subsidy program continues to expand and has been adequate in rural areas, reports indicate that the \$29 per year subsidy is insufficient to meaningfully cover costs, such as transportation, associated with attending school in larger cities. For example, reports indicate that costs associated with attending school in La Paz's sister city, El Alto, may reach \$410 per year. (23)

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 Bolivia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits children under the age of 14 from participating in apprenticeships.	2010 – 2018
	Ensure that the law establishes 18 as the minimum age for compulsory recruitment by the state military, and criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2015 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Establish and maintain in every municipality an Office of the Child Advocate with sufficient resources to ensure that legal protections are extended to all children who are permitted to work, and to coordinate the provision of services to children who are removed from child labor, including its worst forms.	2014 – 2018
	Ensure that Offices of the Child Advocate publicly report on the number of children authorized to work and the number of children rescued from child labor and referred for social services.	2015 – 2018
	Provide sufficient funding to increase the MOL's capacity to ensure the adequate enforcement of child labor laws.	2013 – 2018
	Increase the number of labor inspectors responsible for enforcing laws on child labor to meet the ILO's technical advice.	2013 – 2018
	Authorize the labor inspectorate to assess penalties for child labor, including its worst forms.	2015 – 2018
	Publish information on child labor law enforcement, including the number of children found in child labor as a result of inspections, the number of violations found, the number of penalties imposed and collected, and whether routine inspections were conducted and targeted.	2009 – 2018
	Disaggregate data between inspections involving child labor and criminal investigations involving the worst forms of child labor.	2018
	Provide sufficient funding and training, including training on human trafficking, to criminal law enforcement agencies to ensure adequate enforcement of laws related to the worst forms of child labor.	2015 – 2018
	Ensure that victims of the worst forms of child labor and trafficking are not turned out of shelters due to fixed timelines.	2018
Coordination	Ensure that the National Commission for the Progressive Eradication of Child Labor fulfills its central coordinating role and develops concrete mechanisms to improve coordination among participating agencies and organizations.	2009 – 2018
	Ensure that all MOL departmental sub-commissions designed to combat child labor convene and receive sufficient resources to carry out their functions.	2014 – 2018
	Ensure that NGOs participate in the Plurinational Council to Combat the Trafficking and Smuggling of Persons, as required by the Comprehensive Law against Human Trafficking and Smuggling.	2014 – 2018
	Ensure that all Department-Level Councils against Human Trafficking are fully operational as required by the Comprehensive Law against Human Trafficking and Smuggling.	2014 – 2018
Government Policies	Establish and implement a new National Plan for the Progressive Eradication of Child Labor.	2010 – 2018
Social Programs	Expand national programs, especially those targeting children in rural areas to increase secondary school attendance.	2010 – 2018
	Increase the <i>Juancito Pinto</i> subsidy to ensure that school children are able to cover the costs associated with attending school.	2014 – 2018
	Expand social programs to address the worst forms of child labor at sites in which hazardous child labor exists, particularly in the production of Brazil nuts and sugarcane, ranching and cattle raising, mining, domestic work and street work, and commercial sexual exploitation.	2009 – 2018

MODERATE ADVANCEMENT

REFERENCES

- 1 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Bolivia (ratification: 2003) Published: 2015. Accessed January 18, 2015. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186215:NO.
- 2 U.S. Embassy- La Paz. Reporting. February 13, 2019.
- 3 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 4 UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta Continua de Hogares, 2017. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 5 Verite. Research on Indicators of Forced Labor in the Supply Chains of Brazil-Nuts, Cattle Corn, and Peanuts in Bolivia. 2013. http://www.verite.org/sites/default/files/images/Research on Indicators of Forced Labor in the Bolivia Brazil-nut, Cattle, Corn, and Peanut Sectors_9.19.pdf.
- 6 ILO. Application of International Labor Standards. Report of the Committee of Experts on the Application of Conventions and Recommendations. International Labour Conference, 107th Session, 2018. Geneva. http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_617065.pdf.
- 7 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Bolivia (ratification: 2003) Published: 2012. Accessed January 18, 2015. http://www.ilo.org/dyn/normlex/en/?p=NORMLEXPUB:13100:0::NO:13100:P13100_COMMENT_ID:2700546:NO.
- 8 U.S. Embassy- La Paz. Reporting, February 12, 2015.
- 9 U.S. Embassy- La Paz. Reporting, January 13, 2017.
- 10 Correo del Sur. Tres niños trabajaban toda la noche en granja avícola. April 15, 2018. http://correodelsur.com/local/20180415_tres-ninos-trabajaban-toda-la-noche-en-granja-avicola.html.
- 11 U.S. Embassy- La Paz. Reporting, January 19, 2018.
- 12 Bocking, David. Bolivia: The Proud Child Laborers. Accessed November 3, 2017. Spiegel Online. <http://www.spiegel.de/international/tomorrow/child-labor-in-bolivia-is-legally-permissible-a-1130131.html>.
- 13 Meier, M. In Bolivia, Legitimizing Child Labor [video]. December 19, 2015. New York Times. <http://www.nytimes.com/video/world/americas/10000003982850/in-bolivia-legitimizing-child-labor.html?partner=rss&emc=rss>.
- 14 Quispe Condori, Jorge Hernán. Niños de Ladrillo: Explotación laboral en Alpacoma. April 7, 2014. La Razón. http://www.la-razon.com/index.php?url=suplementos/informe/Ninos-Ladrillo-Explotacion-laboral-Alpacoma-informe_0_2027797323.html.
- 15 Ertl, M. Union Kids. February 17, 2015. Latterly Magazine. <http://latterlymagazine.com/union-kids/>.
- 16 Gilbert, A. Bolivia debate un proyecto contra el trabajo infantil. June 25, 2014. Diario de León. http://www.diariodeleon.es/noticias/internacional/bolivia-debate-proyecto-trabajo-infantil_900045.html.
- 17 Peredo, Nelson. La realidad supera a la ley en la lucha contra el trabajo infantil. December 6, 2017. Los Tiempos. <http://www.lostiempos.com/especial-multimedia/20170612/realidad-supera-ley-lucha-contra-trabajo-infantil>.
- 18 Carpio, Edwin. El estado Boliviano esta en deuda con todos los niños. Los Tiempos. April 11, 2017. <http://www.lostiempos.com/tendencias/bienestar/20170411/estado-boliviano-esta-deuda-todos-ninos>.
- 19 Valecillos, Lucas. Pequeños sepultureros. September 27, 2017. El Periódico. <http://www.elperiodico.com/es/mas-periodico/20160612/pequenos-sepultureros-bolivia-5191024>.
- 20 Instituto de Investigación e Interacción Educativa - Universidad Mayor de San Andrés. Estudio sobre trabajo doméstico de niñas, niños, y adolescentes en hogares de terceros en Bolivia. 2014. http://www.unicef.org/bolivia/Trabajo_NNA_en_hogares_de_terceros_en_Bolivia.pdf.
- 21 U.S. Department of State. 2018 Trafficking in Persons Report Country Narrative_Bolivia. June 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/bolivia/>.
- 22 ILO-IPEC. Niñez Indígena en América Latina: Situación y Perspectivas (Compilación de documentos de trabajo), in Trabajo Infantil-Encuentro Latinoamericano Pueblos Indígenas y Gobiernos-De la Declaración a la Acción. 2010. https://ilo.userservices.exlibrisgroup.com/view/delivery/41ILO_INST/1243209910002676.
- 23 U.S. Embassy- La Paz. Reporting. January 15, 2016.
- 24 U.S. Embassy- La Paz. Reporting. March 8, 2019.
- 25 U.S. Department of State. Trafficking in Persons Report- 2017: Bolivia. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/bolivia/>.
- 26 U.S. Department of State. Trafficking in Persons Report- 2015: Bolivia. Washington, DC. July 27, 2015. <https://2009-2017.state.gov/j/tip/rls/tiprpt/countries/2015/243399.htm>.
- 27 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Bolivia (ratification: 2003) Published 2015. Accessed March 4, 2015. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186211:NO.
- 28 La Razón. Acceso a la educación. December 18, 2014. La-razon.com. http://www.la-razon.com/opinion/editorial/Acceso-educacion_0_2181981919.html.
- 29 Government of Bolivia. Ley General del Trabajo. Enacted: December 8, 1942. <http://www.ilo.org/dyn/natlex/docs/WBTEXT/46218/65057/S92BOL01.htm#t4c6>.
- 30 Government of Bolivia. Código Niño, Niña y Adolescente, Ley 548. Enacted: July 17, 2014. <http://www.gacetaoficialdebolivia.gob.bo/>.
- 31 Tribunal Constitucional Plurinacional. Sentencia Constitucional Plurinacional 0025/2017. July 27, 2017. Source on file.
- 32 Government of Bolivia. Ley No 1139, Ley de Modificación Código NNA Enacted: December 20, 2018. <http://www.derechoteca.com/gacetabolivia/ley-no-1139-del-20-diciembre-de-2018/>.
- 33 Government of Bolivia. Nueva Constitución Política del Estado. Enacted: February 9, 2009. <http://pdba.georgetown.edu/Constitutions/Bolivia/constitucion2009.pdf>.
- 34 Government of Bolivia. Código Penal y Código de Procedimiento Penal. Enacted: 2010. https://www.unodc.org/res/cld/document/bol/codigo-penal_html/Bolivia_Codigo_Penal.pdf.
- 35 Government of Bolivia. Ley Integral Contra la Trata y Tráfico de Personas, Ley 263. Enacted: July 31, 2012. <http://bolivia.infoleyes.com/shownorm.php?id=3946>.
- 36 Government of Bolivia. Ley del Régimen de la Coca y Sustancias Controladas, 1008. Enacted: July 19, 1988. <https://www.lexivox.org/norms/BO-L-1008.html>.

- 37 Government of Bolivia. Ley del Servicio Nacional de Defensa. Enacted: August 1, 1966. <http://www.resdal.org/Archivo/bolivia-ley-servicio-nacional-defensa.htm>.
- 38 Government of Bolivia. Directiva General de Reclutamiento para el Servicio Premilitar No. 12/13 Categoría 2013-2014. http://www.mindef.gob.bo/mindef/sites/default/files/Servicio_Premilitar.htm.
- 39 Government of Bolivia. Decreto Supremo N° 1875. Enacted: January 23, 2014. http://www.cepb.org.bo/calypso/juridica/adjuntos/ds_1875.pdf.
- 40 Government of Bolivia. Decreto Supremo N° 21479. Enacted: December 17, 1986. <http://www.derechoteca.com/gacetabolivia/decreto-supremo-21479-del-17-diciembre-1986/>.
- 41 Government of Bolivia. Ley de Educación Avelino Siñani-Elizardo Pérez, No. 070. Enacted: November 8, 2010. <http://www.oei.es/quipu/bolivia/Leydla.pdf>.
- 42 ILO Committee on the Application of Standards. 107th Session_5th sitting Discussion of Individual Cases. May 30, 2018. Source on file.
- 43 ILO Committee on the Application of Standards. 107th Session_12th sitting Discussion of Individual Cases. June 4, 2018. Source on file.
- 44 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Bolivia (ratification: 1997) Published: 2015. Accessed March 4, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186134:NO.
- 45 Ministerio de Trabajo Empleo y Previsión Social - Unidad de Derechos Fundamentales. Contribución a la Erradicación Progresiva del Trabajo Infantil. Accessed January 18, 2015. http://www.mintrabajo.gob.bo/Descargas/UDF/CONTRIBUCION_A_LA_ERRADICACION_PROGRESIVA_DEL_TRABAJO_INFANTIL.pdf.
- 46 U.S. Embassy- La Paz official. Email communication to USDOL official. June 21, 2016.
- 47 US Embassy- La Paz official. Email Communication to USDOL official. July 2, 2019.
- 48 U.S. Embassy- La Paz. Reporting, March 6, 2015.
- 49 Government of Bolivia. Unidad Policial de Apoyo al Control Migratorio (UPACOM). Migracion.gob.bo. Accessed March 7, 2015. Source on file.
- 50 U.S. Embassy La Paz Official. Email communication to USDOL official. April 10, 2019.
- 51 Lind, P., and L. Paz. How Bolivia's Children Are Being Exploited by a Failing Labor Law. May 12, 2016. Time.com. <http://time.com/4322522/bolivia-child-labor-law-la-paz-unatsbo/>.
- 52 U.S. Embassy- La Paz official. Email communication to USDOL official. February 28, 2018.
- 53 CIA. The World Factbook. Accessed February 26, 2018. <https://www.cia.gov/library/publications/the-world-factbook/fields/2095.html#131>.
- 54 U.S. Embassy- La Paz. Reporting, February 1, 2018.
- 55 U.S. Embassy- La Paz official. Email communication to USDOL official. July 3, 2018.
- 56 U.S. Embassy- La Paz. Reporting, February 14, 2017.
- 57 Government of Bolivia - Consejo Plurinacional Contra la Trata y Tráfico de Personas. Política Plurinacional de Lucha Contra la Trata y Tráfico de Personas 2013-2017. 2014. <http://saludpublica.bvsp.org.bo/cc/bo40.1/documentos/588.pdf>.
- 58 Government of Bolivia. Economic and Social Development Plan (2016–2020). December 2015. <http://www.fndr.gob.bo/bundles/fndrdemo/downloads/pdes/pdes2016-2020.pdf>.
- 59 Ministerio de Justicia. Presentan Política Plurinacional de Lucha Contra la Trata y Tráfico de Personas ante el cuerpo diplomático. June 4, 2014. Justicia.gob.bo. <http://www.justicia.gob.bo/index.php/noticias/notas-de-prensa/1328-presentan-politica-plurinacional-de-lucha-contra-la-trata-y-trafico-de-personas-ante-el-cuerpo-diplomatico>.
- 60 Government of Bolivia. Resolución de Consejo / CPCTTP No. 001/2014. Enacted: January 6, 2014.
- 61 Government of Bolivia - Consejo Plurinacional Contra la Trata y Tráfico de Personas. Plan Nacional de Lucha Contra la Trata y Tráfico de Personas (2015–2019). 2015. <http://vjdf.justicia.gob.bo/images/cargados/files/plan-trata.pdf>.
- 62 Government of Bolivia. Programa de Gobierno - Juntos Vamos Bien Para Vivir Bien (2015-2020). http://www.boliviarrural.org/images/documentos/programa_gobierno_2015-2020.pdf.
- 63 Inter-Institutional Commission for the Eradication of Child Labor. Plan de erradicación progresiva del trabajo infantil: 2000-2010. November 2001. <http://white.lim.ilo.org/ipec/documentos/planbo.pdf>.
- 64 U.S. Embassy- La Paz official. Email communication to USDOL official. June 9, 2014.
- 65 Instituto Boliviana de Comercio Exterior. Triple Sello_Una Herramienta de Inclusión Social. June 2013. http://ibce.org.bo/images/publicaciones/ce_213_Triple_Sello_una_herramienta_inclusion_social.pdf.
- 66 U.S. Embassy- La Paz. Reporting, February 14, 2014.
- 67 UNICEF. Plan de Acción de Programa País 2013–2017. April 2013. http://www.unicef.org/bolivia/PlanAccionProg_2013_2017.pdf.
- 68 UNICEF. Bolivia Country Programme Document, 2013–2017. 2015. http://www.unicef.org/about/execboard/files/Bolivia-2013-2017-final_approved-English-14Sept2012.pdf.
- 69 Inter-American Development Bank. Bolivia - Programa de Apoyo al Empleo II - Perfil de Proyecto. 2016. <http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=40369655>.
- 70 Campaña Boliviana por el Derecho a la Educación. OIT confiere reconocimiento a CEMSE por el aporte a la formación técnica. September 29, 2015. https://www.facebook.com/permalink.php?story_fbid=873994582678255&id=109452819132439.

In 2018, Bosnia and Herzegovina made a moderate advancement in efforts to eliminate the worst forms of child labor. The government's Daily Centers identified 130 children as potential victims of human trafficking and referred them to shelters, and the number of Regional Monitoring Teams is being increased from 4 to 17. In addition, the Government of Canton Sarajevo implemented a protocol on cooperation and treatment in cases of unlawful behavior at the detriment of children, which includes protection for child beggars and sexually abused children. However, children in Bosnia and Herzegovina engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. The minimum age protections in the Federation of Bosnia and Herzegovina, Republika Srpska, and Brčko District do not apply to children who are self-employed or work outside of formal employment relationships. In addition, the Anti-Trafficking Strike Force lacks coordination between prosecutors, police, and other relevant government stakeholders, and border police officers and social workers failed to properly identify unaccompanied migrant and refugee children as potential victims of human trafficking due to lack of proper protocols.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bosnia and Herzegovina (BiH) engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. (2,3) Children also perform dangerous tasks in street work. (6,2,7,8) Table 1 provides key indicators on children's work and education in BiH. 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	8.9 (44,017)
Attending School (%)	5 to 14	83.7
Combining Work and School (%)	7 to 14	10.6
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019. (9)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006. (10)

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
Services	Street work, including begging, vending, and washing car windows (2,11,12)
Categorical Worst Forms of Child Labor‡	Forced begging and forced domestic work, each sometimes as a result of human trafficking (2,3,13-17)
	Commercial sexual exploitation as a result of human trafficking (2,3,15,17,18)
	Use in illicit activities, including for pickpocketing (2,12,15,17,18)
	Use in the production of pornography (4,12,18-21)

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

Bosnia and Herzegovina

MODERATE ADVANCEMENT

Street begging is the most common form of child labor in BiH. (2,3,17) Organized groups sometimes traffic children to lucrative locations, both domestically and internationally, in regional and European Union countries, where they are forced to beg. (2,3,16)

Children from the largest minority group in BiH, the Roma, remain vulnerable to the worst forms of child labor. (2,3,5,16,17,22,23) The Roma custom of paid and arranged marriages between families has resulted in the exploitation of some Roma girls as domestic workers. (6,2,16,24) Birth registration is required to attend school in BiH, and some Roma children lack identity documents, which may affect their access to education. (2,24-26) Children who are not attending school are vulnerable to the worst forms of child labor. Sources also indicate that some Roma children face discrimination by some teachers and peers, travel long distances to schools, and are unable to afford school supplies, clothing, and food. (2,12,19,22,27) In addition, research found that discrimination against some Roma children by school administrators has led to disproportionately high enrollment rates of Roma children in schools for children with intellectual disabilities. (28)

Schools in Republika Srpska (RS) deny the right for some Bosniak children to attend classes in the Bosnian language. (23,29,30) Some Bosniak children from RS travel long distances to the Federation of Bosnia and Herzegovina (FBiH) to receive education in their language. (2,23,31,32) In addition, discrimination persists under the “Two Schools Under One Roof” practice between Bosniaks and Croats in FBiH. The practice creates obstacles for students to attend schools other than those which match their ethnic identity, and therefore enabling ethnic separation among students. (23,33-35) Ethnic discrimination in schools may lead to violence and class absenteeism. (33,34)

In 2018, BiH experienced an increase in migrants from Africa and the Middle East. (17) More than 23,700 refugees and migrants, including children, from Pakistan, Iran, Syria, Afghanistan, Iraq, Libya, Palestine, Algeria, Bangladesh, and India were registered in the country. (17,36) From this total, 972 children participated in informal learning activities, 330 unaccompanied minors benefited from child protection support, and 17 children were enrolled in primary school. However, more than 800 refugee and migrant children from this group remain vulnerable to commercial sexual exploitation. (3,36)

Children with disabilities generally face barriers to accessing education, which may make them vulnerable to child labor. (24,25,37) Although the number of school programs for children with disabilities is increasing, parents of such children often receive little support from the government, and many schools are unable to provide accommodations for their disabilities. (23,37,38)

II. Legal Framework for Child Labor

BiH 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	✓

Bosnia and Herzegovina

MODERATE ADVANCEMENT

BiH is a democratic republic with a bicameral parliament. Governmental responsibility lies within the entities of BiH, FBiH, RS, and the self-governing Brčko District (BD). (25) The Government of BiH has established laws and regulations related to child labor, at the state, entity, and district levels (Table 4). However, gaps exist in BiH's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and the prohibition of military recruitment by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Related Entity	Meets International Standards	Age	Legislation
Minimum Age for Work	Federation of Bosnia and Herzegovina (FBiH)	No	15	Article 20 of the Labor Law of the Federation of Bosnia and Herzegovina (39)
	Republika Srpska (RS)	No	15	Articles 26–27 of the Labor Law of Republika Srpska (40)
	Brčko District (BD)	No	15	Article 10 of the Labor Law of Brčko District (41)
Minimum Age for Hazardous Work	FBiH	Yes	18	Article 57 of the Labor Law of the Federation of Bosnia and Herzegovina (39)
	RS	Yes	18	Articles 103 and 264 of the Labor Law of Republika Srpska (40)
	BD	Yes	18	Article 41 of the Labor Law of Brčko District (41)
Identification of Hazardous Occupations or Activities Prohibited for Children	FBiH	Yes		Articles 42, 57, and 171 of the Labor Law of the Federation of Bosnia and Herzegovina (39)
	RS	Yes		Articles 70, 72, 103, and 264 of the Labor Law of Republika Srpska (40)
	BD	Yes		Articles 28, 41, and 111 of the Labor Law of Brčko District (41)
Prohibition of Forced Labor	BiH	Yes		Articles 185–186a of the Criminal Code of Bosnia and Herzegovina; Article II of the Constitution of Bosnia and Herzegovina (42,43)
	FBiH	No		Articles 210a (2–3) of the Criminal Code of the Federation of Bosnia and Herzegovina. (44)
	RS	Yes		Article 198b of the Criminal Code of Republika Srpska (45)
	BD	Yes		Article 207 of the Criminal Code of Brčko District (46)
Prohibition of Child Trafficking	BiH	Yes		Articles 185–186a of the Criminal Code of Bosnia and Herzegovina (43)
	FBiH	Yes		Articles 210a–210b of the Criminal Code of the Federation of Bosnia and Herzegovina (44)
	RS	Yes		Article 198b of the Criminal Code of Republika Srpska (45)
	BD	Yes		Article 207 of the Criminal Code of Brčko District (46)
Prohibition of Commercial Sexual Exploitation of Children	BiH	Yes		Articles 186–187 of the Criminal Code of Bosnia and Herzegovina (43)
	FBiH	Yes		Articles 210 and 211 of the Criminal Code of the Federation of Bosnia and Herzegovina (47)
	RS	Yes		Articles 198 and 198b–200 of the Criminal Code of Republika Srpska (45)
	BD	Yes		Articles 186 and 207–209 of the Criminal Code of Brčko District (46)
Prohibition of Using Children in Illicit Activities	BiH	No		Article 195 of the Criminal Code of Bosnia and Herzegovina (43)
	FBiH	Yes		Article 219 of the Criminal Code of the Federation of Bosnia and Herzegovina (47)
	RS	Yes		Articles 198b and 224 of the Criminal Code of Republika Srpska (45)
	BD	Yes		Article 216 of the Criminal Code of Brčko District (46)

Bosnia and Herzegovina

MODERATE ADVANCEMENT

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

Standard	Related Entity	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	BiH, FBiH, RS, BD	Yes	18	Article 9 of the Law on the Service in the Armed Forces of Bosnia and Herzegovina (48)
Prohibition of Compulsory Recruitment of Children by (State) Military	BiH, FBiH, RS, BD	N/A*		Article 9 of the Law on the Service in the Armed Forces of Bosnia and Herzegovina (48)
Prohibition of Military Recruitment by Non-state Armed Groups	BiH, FBiH, RS, BD	No		Article 173(e) of the Criminal Code of Bosnia and Herzegovina (43)
Compulsory Education Age	FBiH	Yes	15‡	Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (49)
	RS	Yes	15	Article 2 of the Law on Primary Education of Republika Srpska; Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (49,50)
	BD	Yes	15	Article 55 of the Law on Education in Primary and Secondary Schools in the Brčko District; Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (49,51)
Free Public Education	FBiH/RS/BD	Yes		Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (49)

* No conscription (48)

‡ Age calculated based on available information (49)

The Criminal Code in FBiH criminalizes trafficking for forced labor but fails to specifically outlaw forced labor, debt bondage, and slavery independent of each other. (2,44,47)

Laws related to illicit activities in BiH are not sufficient because using, procuring, and offering children for the production and trafficking of drugs is not criminally prohibited. (43) Also, minimum age protections in the FBiH, RS, and BD labor codes do not apply to children who are self-employed or working outside of formal employment relationships. (39-41) Therefore, most children engaged in street work, the most common form of child labor, are not protected by the law due to law enforcement practices and legal interpretations of the laws. (4-8,39-41,52,53) In addition, BiH, FBiH, RS, and BD do not have laws that prohibit the recruitment of children by non-state armed groups. (11,43,45-47) Finally, the types of hazardous work prohibited for children do not include begging, an area of work in which there is evidence of associated dangers. (54-56)

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 authority of the Ministries of Labor for FBiH, RS, and BD that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Related Entity	Role
FBiH Ministry of Labor and Social Policy Federal Inspection Agency and Cantonal-Level Labor Inspectorates	FBiH	Enforces labor laws, including those on child labor, in FBiH. (2,8)
RS Ministry of Labor and Veterans Labor Inspectorate	RS	Enforces labor laws, including those on child labor, in RS. (2,8)
BD Administrative Support Department	BD	Enforces labor laws, including those on child labor, in BD. (8)
Entity and Cantonal-Level Police	BD, FBiH, RS	Enforces criminal laws against human trafficking, forced labor, prostitution, and begging. (57)

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Related Entity	Role
Ministry of Security (MOS)	BiH	Enforces a national policy to prevent the worst forms of child labor. Collects data on human trafficking. (58) Ensures that victims are placed in government-approved shelters. (58)
State Investigative and Protection Agency (SIPA) and State Border Police (SBP)	BiH	Investigates human trafficking crimes and enforces anti-trafficking laws across the entire country (SIPA). Identifies victims of human trafficking at the border (SBP). (57,58)
State, Entity, and FBiH Cantonal-Level Prosecutors' Offices	BiH, BD, FBiH, RS	Prosecutes human trafficking, forced labor, enticement to prostitution, and forced begging cases at their respective levels, based on applicable laws. (57,58)

Labor Law Enforcement

In 2018, labor law enforcement agencies in BiH took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministries of Labor for FBiH, RS, and BD that may hinder adequate labor law enforcement, including labor inspector training.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	Related Entity	2017	2018	
Labor Inspectorate Funding	FBiH/RS/BD	Unknown (12)	Unknown (2)	
Number of Labor Inspectors	FBiH	78 (12)	83 (2)	
	RS	36 (12)	43 (2)	
	BD	7 (12)	7 (2)	
Inspectorate Authorized to Assess Penalties	FBiH/RS/BD	Yes (12)	Yes (2)	
Initial Training for New Labor Inspectors	FBiH/RS/BD	No (12)	No (2)	
	Training on New Laws Related to Child Labor	FBiH/RS/BD	No (12)	No (2)
	Refresher Courses Provided	FBiH/RS/BD	No (12)	No (2)
Number of Labor Inspections Conducted	FBiH/RS/BD	Unknown (12)	Unknown (2)	
	Number Conducted at Worksite	FBiH/RS/BD	Unknown (12)	Unknown (2)
Number of Child Labor Violations Found	FBiH/RS/BD	0 (12)	0 (2)	
	Number of Child Labor Violations for Which Penalties Were Imposed	FBiH/RS/BD	0 (12)	0 (2)
	Number of Child Labor Penalties Imposed that Were Collected	FBiH/RS/BD	0 (12)	0 (2)
Routine Inspections Conducted	FBiH/RS/BD	Yes (12)	Yes (2)	
Routine Inspections Targeted	FBiH/RS/BD	Yes (12)	Yes (2)	
Unannounced Inspections Permitted	FBiH/RS/BD	Yes (12)	Yes (2)	
	Unannounced Inspections Conducted	FBiH/RS/BD	Yes (12)	Yes (2)
Complaint Mechanism Exists	FBiH/RS/BD	Yes (12)	Yes (2)	
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	FBiH/RS/BD	Yes (12)	Yes (2)	

Inspectors in all entities are not trained on detecting child labor in agriculture, including handling agricultural chemicals. (2,59) However, labor inspectors have a quarterly plan for inspections. (60) A complaint mechanism exists in all entities, and each entity inspectorate has a mechanism for receiving online complaints. (53,60) All three labor inspectorates are authorized to inspect any formal sector site without receiving prior approval. (2) Inspectors who find violations of the child labor law are permitted to assess administrative penalties or issue fines. (2) As in previous years, forced begging cases are pursued by entity-level police and state-level prosecutors; however, labor inspectors do not have jurisdiction to investigate such cases. (12) In addition, research found that BiH does not have an official system for referring children found during labor inspections to appropriate social services, unless they are victims or potential victims of human trafficking. (2)

Bosnia and Herzegovina

MODERATE ADVANCEMENT

In 2018, officials in each entity reported that labor inspectors had sufficient resources to carry out inspections. (2) However, labor officers who monitor fraudulent job offers had limited resources, including a lack of funding. (17)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in BiH 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 prosecution planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	Related Entity	2017	2018
Initial Training for New Criminal Investigators	BiH/FBiH/RS/BD	Yes (12)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	BiH/FBiH/RS/BD	Yes (12)	Yes (2)
Refresher Courses Provided	BiH/FBiH/RS/BD	Yes (12)	Yes (2)
Number of Investigations	BiH	4 (20)	Unknown (2)
	FBiH/RS/BD	318 (20)	12 (37)
Number of Violations Found	BiH/FBiH/RS/BD	72 (21)	11 (37)
Number of Prosecutions Initiated	BiH	6 (21)	Unknown (2)
	FBiH/RS/BD	66 (21)	7 (37)
Number of Convictions	BiH	6 (21)	Unknown (2)
	FBiH/RS/BD	27 (21)	3 (37)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	BiH/FBiH/RS/BD	4 (21)	1 (37)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	BiH/FBiH/RS/BD	Yes (12)	Yes (2)

During the reporting period, the Organization for Security and Co-operation in Europe (OSCE) supported trainings for judges and prosecutors on differentiating between human trafficking and child negligence. Human trafficking topics were also taught at police academies for classes of new officers. (17)

Police refer children detained for begging to appropriate social services providers. (2) NGOs receive funding from either the Ministry of Security or the Ministry for Human Rights and Refugees to provide shelter to these children. (8,17) However, law enforcement personnel and prosecutors are often unwilling to pursue investigations and prosecutions against parents involved in the trafficking of their children, particularly for forced labor, and the shelters subsequently return the children to the parents who trafficked them. (2,12,53) In addition, law enforcement officials sometimes penalize child victims of begging by issuing fines against the children. (37)

NGOs acknowledged that, although judges and prosecutors receive some basic education on human trafficking through the Agency for Education and Training, additional instruction is needed on identifying children used for forced labor and begging. (16,17,61,62) Prosecutors, police, and social workers continuously fail to identify cases of forced begging as trafficking and instead classify them as child negligence or Roma custom, impose sentences under the legal minimum, decrease the severity of the sentences, or dismiss the charges against the perpetrators altogether. (2,16,17,53)

During the reporting period, border police officers and social workers failed to properly identify unaccompanied migrant and refugee children as potential victims of human trafficking, due to the lack of proper government protocols and awareness of mechanisms in place to assist them. (37,63)

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 adequate coordination of efforts to address child labor, including the inclusion of all relevant agencies.

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

Coordinating Body	Role & Description
Department of the State Coordinator for Combating Trafficking in Persons (State Coordinator) within the MOS	Coordinates human trafficking victim protection efforts among relevant ministries at the entity level and among prosecutors at the state, entity, and local levels, as well as with NGOs. (2, 15, 17, 37, 64) Oversees the human trafficking database, which includes data from NGOs, SIPA, SBP, and police agencies and prosecutors' offices at all levels. (17, 37, 57) Publishes data from this database in its annual report on human trafficking. (15) Oversees shelter management and monitors NGO compliance with the agreed-upon provisions on victims' assistance. (37, 57)
Strike Force for Combating Trafficking in Persons and Organized Illegal Migration (Anti-Trafficking Strike Force)	Coordinates human trafficking investigations across government agencies. (15, 37) Convenes monthly, with additional meetings scheduled as needed. (11, 14, 17, 62) Chaired by the Chief State Prosecutor; includes BiH, FBiH, RS, and BD ministries and agencies. (2, 15) Met four times in 2018. (17)
Inter-Ministerial Working Group	Monitors implementation of the National Action Plan to Counter Trafficking, the corresponding Action Plan, and the National Referral Mechanism. (2, 15, 37, 65) Comprises appointed representatives from the state and entity governments, including labor inspectors and elected representatives from NGOs. (4) Met once in 2018. (37)
Regional Monitoring Teams	Facilitates anti-human trafficking coordination among state, entity, and cantonal-level institutions, as well as between NGOs and intergovernmental organizations. (15, 66) Includes labor inspectors. (18) In 2018, a new structure of 17 teams instead of 4 was agreed upon and is expected to be completed next year. (17) In addition, representatives from daily Centers were included in Regional Monitoring Teams. (17)
Council for Children	Coordinates children's issues among state-level agencies and institutions under the Action Plan for Children of BiH. (37, 67, 68) Met in 2018. (37)

Labor inspectors are included in the National Referral Mechanism, which allows them to determine how a child became part of a begging ring. However, labor inspectors are not part of the Anti-Trafficking Strike Force. (2, 12)

During the reporting period, research found that the Regional Monitoring Teams would benefit from training on human trafficking issues. (17, 37) The Anti-Trafficking Strike Force also lacked funding for a second consecutive year due to political disagreements. (37) In addition, the Strike Force's coordination between ministries remained low across all levels of government. Although it met in 2018, meetings tapered off, and the Strike Force faced additional challenges, including a lack of records of active cases; the BiH Prosecutor's Office has not assigned a permanent new representative, FBiH has not appointed additional members, and the State Investigative and Protection Agency rarely participated in the meetings. (17, 37)

Although the Inter-Ministerial Working Group met once in 2018 to review the Annual Report of the National Coordinator's Office for Combating Trafficking, it failed to continuously monitor human trafficking initiatives or activities. (37)

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 covering all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Action Plan for Children of BiH (2015–2018)	Outlined a multidisciplinary approach to continue improving the government's efforts to protect children's rights. (69) In 2018, the Ministry of Human Rights and Refugees completed its report on the Plan's implementation. (37)

Bosnia and Herzegovina

MODERATE ADVANCEMENT

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
National Action Plan to Counter Trafficking (2016–2019)	Mandates that the government provide assistance to human trafficking victims, efficiently prosecute trafficking crimes, work to prevent human trafficking, and strengthen collaboration and coordination among stakeholders involved in combating human trafficking in BiH. (12,15,70) In 2018, the government reported that 63 out of 80 planned activities for 2018 were completed. (17)
Guidelines for Work of Regional Monitoring Teams†	Enhances the cooperation of monitoring team members and the national referral mechanisms. (17,71) Includes a section on mixed migration flows, in which unaccompanied migrant children and victims of human trafficking are addressed. (17)
Protocol on Cooperation and Treatment in Cases of Unlawful Behavior at the Detriment of Children in Canton Sarajevo‡	Prevents begging, exploitation of children, and abuse of children in Canton Sarajevo. (72,73) Sets rules on state cooperation on victim protection and mandates the provision of physical, psychological, health, and social protection for children. (73)

† 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. (74)

Although the Government of BiH has adopted the National Action Plan to Counter Trafficking and the Action Plan for Children, research found no evidence of a policy on other forms of child labor, including forced labor or illicit activities. (2,4,12,75) Sources indicated that the government has not allocated enough financial resources for adequate implementation of inclusive education initiatives. (37,38,76,77)

In addition, Roma organizations and government agencies have expressed intentions to develop an action plan to combat child begging; however, the plan has not been completed. (37)

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 in funding.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Registration Project	UNHCR-funded project, implemented by NGO <i>Vaša Prava</i> , which promotes the registration of Roma people to increase their access to social benefits and schools. (15,58) Helped 1,300 Roma individuals register for citizenship and enabled 19,000 individuals to apply for social inclusion programs from 2009 to 2016. (16,67,78) In 2018, provided legal assistance to foreign victims of human trafficking. (17)
Daily Centers†	Center for Social Welfare-supported and NGO-operated drop-in centers in seven locations across the country for vulnerable children, especially street children. (2,16,17) Provides direct assistance for children, including educational activities, counseling, food, and hygiene. (7) In 2018, 130 children were identified as potential victims of human trafficking, and of these, 55 had received assistance at the centers previously. (2)
Assistance for Trafficking Victims†	Government program that allocates small grants to local NGOs for the provision of shelter and social services to victims of human trafficking, including counseling, educational assistance and job training for domestic victims, and visa and legal services for foreign victims of human trafficking. (61) In 2018, MOS and the Ministry of Human Rights and Refugees allocated \$76,200 for shelters and \$5,860 for the European Anti-Trafficking Day. (17,30)
United Nations Program and Common Budgetary Framework (2015–2019)	UN-funded project implemented by UN-affiliated implementing partners. Aims to provide inclusive education for Roma children and children with disabilities, as well as social protection for vulnerable individuals. (80)

† Program is funded by the Government of BiH.

Because labor inspectors do not have a mandate to inspect informal work on the streets, staff from Daily Centers are often the first to identify children engaged in hazardous street work. Sarajevo's Center for Social Welfare's Mobile Team engages in daily outreach to children on the streets and to families in vulnerable communities. (14,37) The Mobile Team staff stated, however, that they lack sufficient resources for their work, especially reliable transportation. (7,37,53) Government support for outreach to street children in areas outside of Sarajevo varies significantly. Although most Daily Centers collaborate with local Centers for Social Welfare,

Daily Centers are not institutionalized and, therefore, lack consistent financial and technical support. (37,53,81) This may limit the ability of Daily Centers to identify and assist children working on the streets. Although the government provides some social services for low-income families through the Center for Social Welfare, many families do not receive enough assistance to reduce their reliance on child labor, especially begging. (7,37,53)

Some organizations that provide services to victims of domestic human trafficking lack financial resources. (4,14,28,68) During the reporting period, research found that most NGOs that provide social services rely exclusively on grant funding from foreign donors. Their capacities have diminished as foreign assistance to NGOs has decreased, creating obstacles for continued implementation of their programs. (17) In addition, many domestic victims were left without assistance because unused funds allocated for human trafficking victims are returned to the state treasury. (17)

Research was unable to determine whether activities were undertaken to implement the UN Program and Common Budgetary Framework during the reporting period. (37)

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 BiH (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Related Entity	Suggested Action	Year(s) Suggested
Legal Framework	BD, FBiH, RS	Ensure that all children are protected by labor law, including those who work in the informal sector, such as children engaged in street work.	2015 – 2018
	FBiH	Criminalize forced labor, debt bondage, and slavery separately from human trafficking in FBiH's laws.	2018
	BiH	Ensure that BiH law prohibits the use of children in illicit activities, including using, procuring, and offering children for the production and trafficking of drugs.	2015 – 2018
	BiH, BD, FBiH, RS	Ensure that the laws criminally prohibit the recruitment of children under age 18 by non-state armed groups and that children are not punished for engagement in non-state armed groups.	2016 – 2018
	BD, FBiH, RS	Include child begging in the list of hazardous occupations prohibited for children for all entities.	2016 – 2018
Enforcement	BD, FBiH, RS	Collect and publish information on labor law enforcement efforts, including labor inspectorate funding and number of labor inspections conducted.	2015 – 2018
	BD, FBiH, RS	Ensure that labor inspectors receive training on sectors in which child labor is known to occur, enable them to inspect for child labor in agriculture and child begging, and provide training for new employees and refresher courses for all labor inspectors.	2017 – 2018
	BD, FBiH, RS	Create an official referral system for referring children found during labor inspections who are not victims of human trafficking.	2018
	BiH	Collect and publish information on criminal law enforcement efforts, including number of investigations, prosecutions initiated, and convictions.	2018
	BD, FBiH, RS	Enable labor inspectors to pursue forced child begging cases, hold parents legally accountable for child trafficking, and do not penalize the children.	2017 – 2018
	BD, FBiH, RS	Increase funding for labor officers who monitor fraudulent job offers so job seekers do not engage in forced labor.	2018
Enforcement	BiH, BD, FBiH, RS	Increase training for law enforcement prosecutors and judges on how to properly apply criminal law in cases of child labor trafficking, forced labor, and forced begging, rather than classifying cases as Roma custom or decreasing the severity of sentences.	2014 – 2018
	BiH, BD, FBiH, RS	Train border police and social workers to properly identify migrant children vulnerable to human trafficking and implement proper referral mechanisms.	2018

Bosnia and Herzegovina

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Related Entity	Suggested Action	Year(s) Suggested
Coordination	BiH, BD, FBiH, RS	Include labor inspectors in the Anti-Trafficking Strike Force, properly fund the Strike Force, and ensure that the Strike Force fulfills its coordinating mandate with the inclusion of all relevant government entities and law enforcement.	2017 – 2018
	BiH, BD, FBiH, RS	Provide additional training to the regional monitoring teams on the referral and protection of human trafficking victims.	2016 – 2018
	BiH	Ensure that the Inter-Ministerial Working Group meets regularly to actively monitor human trafficking initiatives and activities.	2018
Government Policies	BiH	Adopt a policy designed to address child labor and its worst forms, other than child trafficking, including for forced labor and illicit activities.	2015 – 2018
	BiH, BD, FBiH, RS	Ensure that inclusive education initiatives receive adequate funding.	2017 – 2018
	BiH, BD, FBiH, RS	Create an action plan to address forced begging for the children of the Roma population.	2017 – 2018
Social Programs	BiH	Collect data on children involved in the worst forms of child labor to enhance policymakers' ability to identify problems more accurately and address them more adequately.	2009 – 2018
	BD, FBiH, RS	Promote inclusive education for minority children, including Roma, by assisting parents in registering their children for birth and identity documentation that entitles them to access school, expanding efforts to reduce discrimination in schools, and mitigating the costs to families associated with education.	2011 – 2018
	FBiH, RS	Allow all Bosniak children in RS to access education in the Bosniak language and remove the "Two Schools Under One Roof" practice to eliminate discrimination in schools based on ethnicity in FBiH.	2018
	BiH, BD, FBiH, RS	Ensure that unaccompanied minors who are vulnerable to human trafficking receive proper social services and education.	2018
	BD, FBiH, RS	Remove barriers to education for children with disabilities by ensuring that schools have adequate resources to provide the necessary accommodations, enabling children to attend school and not be vulnerable to engage in child labor.	2015 – 2018
	BiH	Institutionalize and provide sufficient funding for Daily Centers to ensure that they have the resources and technical support necessary to assist children involved in child labor and those who are at risk of involvement.	2014 – 2018
	BiH, BD, FBiH, RS	Strengthen social protection programs that provide support to economically vulnerable families, reducing their reliance on child labor.	2014 – 2018
	BiH, BD, FBiH, RS	Ensure that resources for human trafficking victims are sufficient to meet the needs of domestic victims.	2014 – 2018
	BiH, BD, FBiH, RS	Increase funding for programs that provide social services, including housing, for child trafficking victims.	2015 – 2018
	BiH	Ensure that the UN Program and Common Budgetary Framework is active and completes its mandate.	2018

REFERENCES

- U.S. Department of State. Trafficking in Persons Report- 2017: Bosnia and Herzegovina. Washington, DC. June 27, 2017. <https://www.state.gov/2017-trafficking-in-persons-report/bosnia-and-herzegovina>.
- U.S. Embassy- Sarajevo. Reporting. January 30, 2019.
- U.S. Department of State. Trafficking in Persons Report- 2019: Bosnia and Herzegovina. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/bosnia-and-herzegovina/>.
- Department of the State Coordinator for Combatting Trafficking in Persons BiH official. Interview with USDOL official. April 23, 2015.
- Save the Children. Report on Conducted Action Research: Young Roma in Action. March 2014. <https://nwb.savethechildren.net/news/lyra---young-roma-action>.
- U.S. Department of State. Trafficking in Persons Report- 2018: Bosnia and Herzegovina. Washington, DC. June 28, 2018. <https://www.state.gov/2018-trafficking-in-persons-report/bosnia-and-herzegovina>.
- Center for Social Welfare officials. Interview with USDOL official. April 23, 2015.
- U.S. Embassy- Sarajevo. Reporting. January 28, 2016.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.

- 10 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original Data from Multiple Indicator Cluster Survey 3, 2006. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 11 BiH Ministry of Security official. Interview with USDOL official. May 16, 2017.
- 12 U.S. Embassy- Sarajevo. Reporting. January 18, 2018.
- 13 U.S. Embassy- Sarajevo. Reporting. January 13, 2017.
- 14 U.S. Embassy- Sarajevo. Reporting. February 8, 2017.
- 15 U.S. Embassy- Sarajevo. Reporting. February 1, 2016.
- 16 U.S. Embassy- Sarajevo. Reporting. February 9, 2018.
- 17 U.S. Embassy- Sarajevo. Reporting. March 14, 2019.
- 18 Government of Bosnia and Herzegovina. Written Communication. Submitted in response to USDOL Federal Register Notice (2017). Request for Information of Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor. Sarajevo. 2018.
- 19 NGO Roundtable on the Worst Forms of Child Labor. Travel notes from USDOL official. April 24, 2015.
- 20 USDOL. Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor. Federal Register 82, no. 207 (2017). Source on file.
- 21 U.S. Embassy- Sarajevo official. Email communication to USDOL official. January 26, 2018.
- 22 Kali Sara-Roma Information Center official. Interview with USDOL official. May 17, 2017.
- 23 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Bosnia and Herzegovina. Washington, DC. March 13, 2019.
<https://www.state.gov/wp-content/uploads/2019/03/BOSNIA-AND-HERZEGOVINA-2018.pdf>.
- 24 UN Human Rights Committee. Concluding observations on the third periodic report of Bosnia and Herzegovina. April 13, 2017: CCPR/C/BIH/CO/3.
http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/BIH/CO/3&Lang=en.
- 25 U.S. Department of State. Country Reports on Human Rights Practices- 2016: Bosnia and Herzegovina. Washington, DC. March 3, 2017.
<https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/bosnia-and-herzegovina/>.
- 26 Council of Europe. ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES: Third Opinion on Bosnia and Herzegovina adopted on 7 March 2013. April 7, 2014.
<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDC TMContent?documentId=090000168008c667>.
- 27 UNICEF. Realizing the rights of Roma children and women in Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, and Serbia. 2014.
https://www.unicef.it/Allegati/Realizing_Roma_Childrens_Rights.pdf.
- 28 U.S. Embassy- Sarajevo official. Email communication to USDOL official. May 22, 2017.
- 29 Kovacevic, Danijel. Bosnian Serbs to Adopt Same School Curriculum as Serbia. Balkan Insight. February 26, 2018.
<http://www.balkaninsight.com/en/article/the-same-curriculum-for-pupils-in-serbia-and-rs-02-23-2018>.
- 30 U.S. Embassy- Sarajevo official. Email communication to USDOL official. June 24, 2019.
- 31 Al Jazeera Balkans. The question of Bosnian language children travel kilometers to school. Al Jazeera. January 28, 2019.
<https://www.youtube.com/watch?v=hjD3MTIv2Mk>.
- 32 Bursac, Dragan. Bosnian does not exist in Republika Srpska. Al Jazeera. November 18, 2018.
<http://balkans.aljazeera.net/vijesti/bosanski-jezik-ne-postoji-u-entitetu-republika-srpska>.
- 33 OSCE. “Two Schools Under One Roof”: The Most Visible Example of Discrimination in Education in Bosnia and Herzegovina. OSCE. November 2018.
<https://www.osce.org/mission-to-bosnia-and-herzegovina/404990?download=true>.
- 34 Surk, Barbara. In a Divided Bosnia, Segregated Schools Persist. Travnik: The New York Times. December 1, 2018.
<https://www.nytimes.com/2018/12/01/world/europe/bosnia-schools-segregated-ethnic.html>.
- 35 Government of FBiH Canton Sarajevo. Law on Primary Education. Sarajevo. 2018.
<https://www.paragraf.ba/prijava-alarm-za-glasila-bih.html>.
- 36 UNICEF. Refugee and Migrant Crisis in Europe: Humanitarian Situation Report #30. UNICEF. December 2018.
<https://reliefweb.int/report/greece/unicef-refugee-and-migrant-crisis-europe-humanitarian-situation-report-30-end-year>.
- 37 U.S. Embassy- Sarajevo official. Email Communication to USDOL official. February 12, 2019.
- 38 OSLOBODENJE. Another deadline to begin working with more than one hundred children with disabilities. March 9, 2018.
<http://www.oslobodjenje.ba/vijesti/sarajevo/probijen-jos-jedan-rok-za-pocetak-rada-sa-vise-od-stotinu-djece-sa-poteskocama>.
- 39 Government of Bosnia and Herzegovina. Labor Law of the Federation of Bosnia and Herzegovina. Enacted: 2003.
<http://ilo.org/dyn/natlex/docs/ELECTRONIC/104623/127699/F1877709948/BIH-2016-L-104623.pdf>.
- 40 Government of Bosnia and Herzegovina. Labor Law of Republika Srpska. Enacted: 2003.
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102220/123487/F-1030013146/BIH-2015-L-102220.pdf>.
- 41 Government of Bosnia and Herzegovina. Labor Law of Brčko District. Enacted: 2005.
<http://ilo.org/dyn/natlex/docs/ELECTRONIC/99959/119633/F1307714070/BIH99959 Bsn.pdf>.
- 42 Government of Bosnia and Herzegovina. Constitution of Bosnia and Herzegovina. Enacted: 1995.
http://www.ccbh.ba/public/down/USTAV_BOSNE_I_HERCEGOVINE_engl.pdf.
- 43 Government of Bosnia and Herzegovina. Criminal Code of Bosnia and Herzegovina. Enacted: 2003.
https://advokat-prnjavorac.com/zakoni/Krivicni_zakon_BiH.pdf.
- 44 Government of Bosnia and Herzegovina. Criminal Code of the Federation of Bosnia and Herzegovina, amendments in Official Gazette Number 46. Enacted: June 15, 2016.
http://www.tuzilastvobih.gov.ba/files/docs/Krivicni_zakon_F_BiH_izmjene_i_dopune_46_16_bos.pdf.
- 45 Government of Bosnia and Herzegovina. Criminal Code of Republika Srpska. Enacted: July 1, 2003.
https://www.unodc.org/cld/document/bih/2003/criminal_code_of_republika_srpska_as_of_2013.html.
- 46 Government of Bosnia and Herzegovina. CRIMINAL CODE OF THE BRCKO DISTRICT OF BOSNIA AND HERZEGOVINA. Enacted: May 28, 2003.
<http://www.ohr.int/ohr-dept/legal/laws-of-bih/pdf/005 - Criminal Code, Criminal Procedure Codes and Criminal Sanctions/Criminal Codes/BD/BD Criminal Code 10-03.pdf>.
- 47 Government of Bosnia and Herzegovina. Criminal Code of the Federation of Bosnia and Herzegovina. Enacted: August 1, 2003.
https://advokat-prnjavorac.com/zakoni/Krivicni_zakon_FBiH.pdf.
- 48 Government of Bosnia and Herzegovina. Law on Service in the Armed Forces in Bosnia and Herzegovina. Enacted: 2005. Source on file.

Bosnia and Herzegovina

MODERATE ADVANCEMENT

- 49 Government of Bosnia and Herzegovina. Framework Law on Primary and Secondary Education in Bosnia and Herzegovina, No. 18/03. Enacted: 2003.
http://fmon.gov.ba/Upload/Dokumenti/7e1e8c33-c594-4784-817a-e46de79149fa_Okvirni_zakon_o_osnovnom_i_srednjem_obrazovanju_u_Bosni_i_Hercegovini.pdf.
- 50 Government of Bosnia and Herzegovina. Law on Primary Education of Republika Srpska. Enacted: 2007.
<https://advokat-prnjavorac.com/zakoni/Zakon-o-osnovnom-vaspitanju-i-obrazovanju-RS.pdf>.
- 51 Government of Bosnia and Herzegovina. Law on Education in Primary and Secondary Schools in Brčko District. Enacted: March 27, 2008.
http://skupstinabd.ba/ba/zakon.html?lang=ba&id=/Zakon_o_obrazovanju_u_osnovnim_i_srednjim_s--kolama.
- 52 U.S. Department of State. Country Reports on Human Rights Practices- 2014: Bosnia and Herzegovina. Washington, DC. June 25, 2015.
<http://www.state.gov/documents/organization/236718.pdf>.
- 53 U.S. Embassy- Sarajevo official. Email communication to USDOL official. May 10, 2018.
- 54 Federation Prosecutor and Anti-Trafficking Strike Force official. Interview with USDOL official. May 17, 2017.
- 55 Center for Social Welfare officials. Interview with USDOL official. May 20, 2017.
- 56 Save the Children official. Interview with USDOL official. May 17, 2017.
- 57 U.S. Embassy- Sarajevo. Reporting. February 13, 2014.
- 58 U.S. Embassy- Sarajevo. Reporting. December 22, 2014.
- 59 ILO Committee of Experts. Direct Request concerning Labour Inspection Convention, 1947 (No. 81) and Labour Inspection (Agriculture) Convention, 1969 (No. 129) Bosnia and Herzegovina (ratification: 1993) Published: 2017. Accessed December 22, 2017.
http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::N0::P13100_COMMENT_ID:3289240.
- 60 U.S. Embassy- Sarajevo official. Email communication to USDOL official. April 6, 2017.
- 61 U.S. Embassy- Sarajevo. Reporting. February 17, 2015.
- 62 Federation Prosecutor and Anti-Trafficking Strike Force official. Interview with USDOL official. April 27, 2015.
- 63 OSCE. Assessment: Migrant and Refugee Situation in Bosnia and Herzegovina. OSCE. 2018.
<https://www.osce.org/mission-to-bosnia-and-herzegovina/397319?download=true>.
- 64 U.S. Embassy- Sarajevo. Reporting. January 14, 2014.
- 65 U.S. Department of State official. Email communication to USDOL official. May 9, 2014.
- 66 U.S. Embassy- Sarajevo official. Email communication to USDOL official. June 23, 2016.
- 67 U.S. Embassy- Sarajevo official. Email communication to USDOL official. March 27, 2014.
- 68 Ministry of Human Rights and Refugees official. Interview with USDOL official. April 27, 2015.
- 69 Government of Bosnia and Herzegovina, Council of Ministers. ACTION PLAN FOR CHILDREN of Bosnia and Herzegovina 2015 – 2018. June 2015.
http://www.unicef.org/bih/akcijski_plan_za_djecu_EN-web.pdf.
- 70 Government of Bosnia and Herzegovina. National Action Plan to Counter Trafficking (2016–2019). December 30, 2015.
http://msb.gov.ba/PDF/AKCIONI_PLAN_2016-2019_30_12_2015.pdf.
- 71 Government of Bosnia and Herzegovina. Guidelines for Work of Regional Monitoring Teams for Combatting Trafficking in Human Beings in Bosnia and Herzegovina. 2018.
https://bih.iom.int/sites/default/files/TRAFIC/GUIDELINES_FOR_WORK_OF_REGIONALMONITORING_TEAMS_FOR_COMBATTING_TRAFFICKINGIN_HUMAN_BEINGS_INBOSNIA_AND_HERZEGOVINA.pdf.
- 72 Radiosarajevo.ba. KS rule is decisive: Prevent beggars and exploiting children. October 2, 2018.
<https://www.radiosarajevo.ba/metromahala teme/sarajevska-vlast-odlucna-sprijeciti-prosjacenja-skitnje-i-iskoristavanje-djece/314297>.
- 73 Government of Canton Sarajevo. Protocol on cooperation and treatment in cases of unlawful behavior at the detriment of children in Canton Sarajevo. Sarajevo. 2018. Source on file.
- 74 Government of Bosnia and Herzegovina. ACTION PLAN OF BOSNIA AND HERZEGOVINA FOR ADDRESSING ROMA ISSUES IN THE FIELDS OF EMPLOYMENT, HOUSING AND HEALTH CARE 2017 -2020. 2016.
http://www.mhrr.gov.ba/PDF/LjudskaPrava/4_Akcioni_plan_BiH_za_rjesavanje_problema_Roma_2017-2020_ENG.pdf.
- 75 Government of Bosnia and Herzegovina. ACTION PLAN for child protection and prevention of violence against children through information-communications technologies in Bosnia and Herzegovina 2014-2015. 2016.
http://msb.gov.ba/PDF/140605_Nasilje_engleski_SG_ver2.pdf.
- 76 Kali Sara-Roma Information Center official. Interview with USDOL official. April 27, 2015.
- 77 Knezicek, Tihomir, et al. Civil Society Monitoring on the Implementation of the National Roma Integration Strategy and Decade Action Plan in Bosnia and Herzegovina in 2012 and 2013. Decade of Roma Inclusion Secretariat Foundation. 2014. Source on file.
- 78 U.S. Embassy- Sarajevo official. Email communication to USDOL official. March 5, 2015.
- 79 UNICEF Bosnia and Herzegovina. UNICEF Bosnia and Herzegovina: Country Programme 2015 – 2019.
<https://www.unicef.org/bih/GeneralFS-web.pdf>.
- 80 UNDAF. One United Nations Programme and Common Budgetary Framework, Bosnia and Herzegovina 2015–2019: United Nations Development Assistance Framework. March 2016.
http://www.ba.undp.org/content/dam/bosnia_and_herzegovina/docs/News/BiH_One_Programme_2015-2019_FINAL_ENG_Apr_2015.pdf.
- 81 Save the Children officials. Interview with USDOL official. April 24, 2015.

In 2018, Botswana made a minimal advancement in efforts to eliminate the worst forms of child labor. During the year, the government provided funding for education programs and supported school feeding programs. However, children in Botswana engage in the worst forms of child labor, including in commercial sexual exploitation, forced labor in cattle herding, and forced domestic work, each sometimes as a result of human trafficking. Key gaps remain in the country's legal framework, including the lack of a minimum age for compulsory education and insufficient prohibitions for hazardous work. In addition, social programs do not always reach intended child labor victims, especially those engaged in cattle herding and domestic work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Botswana engage in the worst forms of child labor, including in commercial sexual exploitation, forced labor in cattle herding, and forced domestic work, each sometimes the result of human trafficking. (1-5) Table 1 provides key indicators on children's work and education in Botswana. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		102.0

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2019. (6)
Data were unavailable from International Labor Organization's analysis, 2019. (7)

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	Farming activities, including picking beans (2,3,5,8)
	Herding cattle (1-4)
Services	Street work, including vending (3)
	Domestic work (2-4)
Categorical Worst Forms of Child Labor‡	Forced labor in herding cattle and domestic work, each sometimes as a result of human trafficking (2-4)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,8-10)

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

Reports indicate that children in Botswana are victims of commercial sexual exploitation, sometimes as a result of human trafficking, and debt bondage. (2,9) In addition, children of San ethnic minority groups may be subjected to forced labor conditions on private farms and cattle posts. (1,2,9) Research was unable to determine the sectors, types of activities, and hazards that children encounter as child laborers.

In its 2017 and 2018 budget, the Government of Botswana allocated 17.2 percent of total government spending (\$672 million) to education. (8) Primary education is free, and poor families receive free meals, toiletries, and school uniforms through government-funded programs. (3)

Botswana

MINIMAL ADVANCEMENT

II. LEGAL FRAMEWORK FOR CHILD LABOR

Botswana 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 Botswana's legal framework to adequately protect children from the worst forms of child labor, including the lack of a compulsory education age that is consistent with the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Articles 2 and 107 of the Employment Act (11)
Minimum Age for Hazardous Work	Yes	18	Articles 2 and 110 of the Employment Act (11)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 108 and 109 of the Employment Act (11)
Prohibition of Forced Labor	Yes		Articles 2 and 71 of the Employment Act; Articles 175 and 262 of the Penal Code; Section 114 of the Children's Act; Articles 9 and 10 of the Anti-Human Trafficking Act (11-14)
Prohibition of Child Trafficking	Yes		Article 175 of the Penal Code; Section 114 of the Children's Act; Articles 9 and 10 of the Anti-Human Trafficking Act (12-14)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 25 and 57–59 of the Children's Act (12)
Prohibition of Using Children in Illicit Activities	Yes		Section 60 of the Children's Act (12)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 17 of the Botswana Defence Force Act (15)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 26 of the Children's Act (12)
Compulsory Education Age	No		
Free Public Education	Yes		Section 18 of the Children's Act (12,16)

* No conscription (15)

Under Botswana law, children working without a contract do not benefit from minimum age protections. Although the Employment Act allows children at age 14 to conduct light work activities, the government has yet to determine the types of light work activities permitted for children. (17) In addition, the Employment Act prohibits night work and hazardous underground work for children, but fails to prohibit other types of hazardous work, including work with dangerous machinery, equipment, and tools. (11) Although the government compiled a comprehensive list of hazardous occupations in 2013, the list has yet to be approved. (18)

Despite the provision of free primary education, there is not a compulsory education age consistent with the minimum age of employment. (19)

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 Employment, Labour Productivity and Skills Development (MELSD) and the Ministry of Defense, Justice, and Security (MDJS) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Labour Productivity and Skills Development	Enforces child labor laws and policies. Authorized by the Employment Act to conduct labor inspections. (3,11) Facilitates coordination with local leaders and law enforcement officers. Posts labor inspectors to District Council offices to carry out their duties. (3)
District and Municipal Council Child Welfare Divisions	Enforce child labor laws at the local levels. (3)
Botswana Police Service	Investigates cases of the worst forms of child labor, including commercial sexual exploitation of children and child trafficking. (3)
Ministry of Defense, Justice, and Security (MDJS)	Monitors suspected human trafficking cases and leads the Human Trafficking (Prohibition) Committee. (3)
Ministry of Local Government and Rural Development	Houses the Department of Social Protection, which identifies vulnerable children, including those in the worst forms of child labor, and reports cases to the police. Works with the judiciary to place vulnerable children in safe environments. (20)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Botswana took actions to combat child labor (Table 6). However, gaps exist within the operations of the MELSD that may hinder adequate labor law enforcement, including the lack of authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (8)	Unknown (3)
Number of Labor Inspectors	Unknown (8)	53 (3)
Inspectorate Authorized to Assess Penalties	No (8)	No (3)
Initial Training for New Labor Inspectors	Unknown (8)	Unknown (3)
Training on New Laws Related to Child Labor	Unknown (8)	Unknown (3)
Refresher Courses Provided	Unknown (8)	Unknown (3)
Number of Labor Inspections Conducted	2,335† (8)	2,113‡ (21)
Number Conducted at Worksite	Unknown (8)	Unknown (3)
Number of Child Labor Violations Found	Unknown (8)	0‡ (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (8)	0‡ (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (8)	0‡ (3)
Routine Inspections Conducted	Yes (8)	Yes (3)
Routine Inspections Targeted	Yes (8)	Yes (3)
Unannounced Inspections Permitted	Yes (8)	Yes (3)
Unannounced Inspections Conducted	Yes (8)	Yes (3)
Complaint Mechanism Exists	Yes (8)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (3)

† Data are from April 1, 2017 to March 31, 2018.

‡ Data are from April 1, 2018 to January 31, 2019.

Botswana

MINIMAL ADVANCEMENT

An NGO reported that two children were found in child labor in domestic work. (8) The MELSD recently received eight new vehicles to support inspection and enforcement capabilities. (10) However, the number of labor inspectors is likely insufficient for the size of Botswana's workforce, which includes approximately 1,177,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Botswana would employ roughly 78 labor inspectors. Labor inspectors are not authorized to inspect domestic households, therefore hindering identification of certain instances of underage child domestic labor. (3) The government did not provide information regarding the funding of its labor inspectorate, the training of its labor inspectorate, and the number of inspections conducted at worksites for inclusion in this report.

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Botswana took actions to combat child labor (Table 7). However, gaps exist within the operations of the MDJS 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	N/A (8)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	Unknown (3)
Refresher Courses Provided	Unknown (8)	Unknown (3)
Number of Investigations	1 (8)	0 (3)
Number of Violations Found	Unknown (8)	0 (3)
Number of Prosecutions Initiated	1 (8)	0 (3)
Number of Convictions	0 (22)	0 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (8)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (3)

Currently, the Botswana Police Service (BPS) and Department of Social Services coordinate to provide referral services for victims of human trafficking. During the reporting period, the IOM, in collaboration with ministry officials, developed a draft national referral mechanism for unaccompanied and separated children and stranded migrants, which will include referral procedures specific to human trafficking victims as part of the updated Human Trafficking National Action Plan. (10) In addition, the MELSD and BPS operate toll-free hotlines to report crimes, including child trafficking. (10)

The government did not provide information on its training for criminal investigators and penalties imposed for child labor violations for inclusion in this report.

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 efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Advisory Committee on Child Labor	Oversees child labor issues and reports to the government three to four times a year. Includes representatives from government agencies, various NGOs, worker federations, and employer organizations. (3) Research was unable to determine actions taken by the committee during the reporting period.
Human Trafficking (Prohibition) Committee	Created by the 2014 Anti-Human Trafficking Bill and led by the MDJS. (3) Establishes a reporting and referral mechanism for children subjected to human trafficking. Met and facilitated a desktop review of the Anti-Human Trafficking National Action Plan, which has yet to be launched. (3,20)

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

Coordinating Body	Role & Description
Child Labor Committees	Identify child laborers at the village level. Include social workers; school teachers; members of the Village Development Committees, which are local government structures; labor inspectors; and community leaders, including chiefs and priests. (3) Research was unable to determine actions taken by the committees during the reporting period.

The MDJS reported the need for technical support, training, and increased coordination among agencies to address human trafficking. It indicated that referral and rehabilitation services for human trafficking victims are also needed. (3,10,23)

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 mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on the Elimination of the Worst Forms of Child Labor	Outlines the government's plan to address child labor through legislation and policy, and includes awareness-raising programs and training on child labor for relevant stakeholders and implementers. (3) Research has not been able to confirm status of implementation.

‡ The Government had other policies that may have addressed child labor issues or had an impact on child labor.

Child labor elimination and prevention strategies are not included in some national policies, including the Education and Training Sector Strategic Plan, Ministry of Local Government Development Plans, National Plan of Action for Orphans and Vulnerable Children, and Botswana National Youth Policy. (24,25) During the reporting period, the government committed \$94,200 to implement the Anti-Human Trafficking National Action Plan, approved in 2017, but has yet to launch the policy. (3,10,20)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that include the goal of eliminating 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 Programs to Combat Child Labor†	NGO-run shelters, with financial support from the government, that cater to human trafficking victims, including children. (3) The National School Feeding Program focuses on providing meals to children (grades one through seven) in all public primary schools in the country. The Remote Area Dweller Program provides a second meal to school children living in remote areas and children from marginalized communities. (3,26) The Orphan Care Program provides orphans with meals and subsidizes the cost of school fees and transportation costs. (3) Poor families receive free meals, toiletries, and school uniforms through the Needy Children and Needy Students program managed by Ministry of Local Government and Rural Development. (3) Programs were active in 2018.

† Program is funded by the Government of Botswana.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (27)

Although Botswana has programs that target child labor, the design and implementation of these programs are insufficient to fully address the scope of the problem, especially in commercial sexual exploitation, cattle herding, and domestic work.

There are no official government-run shelters to assist child victims of human trafficking. The government authorized and partially funds NGO-run shelters, but the government does not provide its own services. (3,10)

Botswana

MINIMAL ADVANCEMENT

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 Botswana (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish light work provisions specific enough to prevent children's involvement in child labor.	2016 – 2018
	Prohibit hazardous work for children younger than age 18 in all relevant sectors, including in agriculture.	2009 – 2018
	Ensure that the law's minimum age protections apply to children working without a contract.	2010 – 2018
	Determine a compulsory education age consistent with the minimum age of employment.	2010 – 2018
Enforcement	Authorize labor inspectors to assess penalties for labor violations.	2016 – 2018
	Publish information about the labor inspectorate's funding, number of labor inspections conducted at worksites, and training for labor inspectors on child labor issues.	2016 – 2018
	Publish information about the number of investigations, prosecutions, and convictions involving the worst forms of child labor.	2017 – 2018
	Ensure that labor inspectors are authorized to inspect domestic households.	2018
Coordination	Ensure that the Advisory Committee on Child Labor and Child Labor Committees are providing effective coordination between government agencies.	2018
	Ensure that the Ministry of Defense, Justice, and Security receives sufficient training and that there is increased coordination among agencies to address victims of human trafficking.	2017 – 2018
	Ensure that the Ministry of Defense, Justice, and Security provides rehabilitation services for human trafficking victims.	2018
Government Policies	Implement the Anti-Human Trafficking National Action Plan.	2018
	Integrate child labor elimination and prevention strategies into relevant policies, such as the Education and Training Sector Strategic Plan, Ministry of Local Government Development Plans, National Plan of Action for Orphans and Vulnerable Children, Botswana National Youth Policy, and National Action Plan for Youth.	2011 – 2018
	Implement key child labor elimination policies, such as the National Action Plan on the Elimination of the Worst Forms of Child Labor.	2017 – 2018
Social Programs	Collect and publish child labor data on the sectors in which children work, the types of child labor activities, and the hazards child laborers encounter, to inform policies and programs.	2013 – 2018
	Develop programs to fully address the scope of child labor in commercial sexual exploitation, domestic work, and cattle herding.	2012 – 2018
	Establish official government-run shelters to assist child victims.	2018

REFERENCES

- Botswana NGO official. Interview with USDOL official. September 23, 2015.
- U.S. Department of State. Trafficking in Persons Report- 2018: Botswana. Washington, DC, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/botswana/>.
- U.S. Embassy- Gaborone. Reporting. February 8, 2019.
- Humana People to People official. Interview with USDOL official. September 23, 2015.
- Mosinyi, Thato. Botswana: Child Labour Illegal. Accessed October 26, 2016. Source on file.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Gabarone. Reporting. February 8, 2018.
- Mathala, Sharon. Human Trafficking Raises Red Flags. Mmegi Online, October 14, 2016. <http://www.mmegi.bw/index.php?aid=63836&dir=2016/october/14>.
- U.S. Embassy- Gabarone. Reporting. April 12, 2019
- Government of Botswana. Employment Act. Enacted: 1982. <http://www.ilo.org/dyn/natlex/docs/WWEBTEXT/842/64792/E82BVA01.htm>.
- Government of Botswana. Children's Act, No. 8. Enacted: 2009. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=97343.
- Government of Botswana. Penal Code, 1964 (Law No. 2 of 1964) (as amended up to Act No. 14 of 2005). Enacted: 1964. http://www.wipo.int/wipolex/en/text.jsp?file_id=238601.
- Government of Botswana. Anti-Human Trafficking Act. Enacted: 2014, Amended 2018. Source on file.

- 15 Government of Botswana. Botswana Defence Force, No. 23. Enacted: 1977.
<http://www.elaws.gov.bw/law.php?id=883>.
- 16 U.S. Embassy Gaborone official. Email communication to USDOL official. April 13, 2015.
- 17 ILO CEACR. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Botswana (ratification: 1997). Published 2015.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3180120:NO.
- 18 ILO CEACR. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Botswana (ratification: 2000). Published 2015.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3180142:NO.
- 19 UNHRC. Compilation on Botswana. November 2, 2017.
<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/331/63/PDF/G1733163.pdf?OpenElement>.
- 20 U.S. Department of State. Email communication with USDOL official. February 28, 2019.
- 21 U.S. Embassy Gaborone official. Email communication to USDOL official. April 9, 2019.
- 22 U.S. Embassy- Gabarone. Reporting. May 22, 2018.
- 23 Government of Botswana, Ministry of Defense Justice and Security official. Interview with USDOL consultant. September 23, 2015.
- 24 Government of Botswana, Ministry of Labor and Home Affairs. National Youth Policy. February 1996. Source on file.
- 25 Government of Botswana, Ministry of Local Government. Development Plans. Accessed June 2, 2018.
<http://www.gov.bw/en/Ministries--Authorities/Ministries/Ministry-of-Local-Government-MLG1/Projects/Development-Plans/Kweneng-District-Council/>.
- 26 Drake, Lesley, et al. Global School Feeding Sourcebook: Lessons from 14 Countries. London: Imperial College Press, 2016.
<https://documents.wfp.org/stellent/groups/public/documents/communications/wfp284904.pdf>.
- 27 ILO. Decent Work Country Programmes. February 15, 2016. Source on file.

In 2018, Brazil made a moderate advancement in efforts to eliminate the worst forms of child labor. In January 2018, the state of Ceará signed a law requiring businesses to publicly display signs highlighting the dangers of child labor and establishing administrative fines for those who violate the law, as well as those who fail to display the required signage. Furthermore, Brazilian police conducted the largest operation to date to combat child pornography, resulting in 89 arrests in more than 24 states. The number of children removed from situations of forced child labor increased by 40 percent, from 1,008 children in 2017 to 1,854 in 2018. The government also adopted its third National Plan to Eradicate Child Labor, and its third National Plan to Combat Human Trafficking. However, children in Brazil engage in the worst forms of child labor, including in commercial sexual exploitation. Children also engage in child labor in agriculture, including in the production of coffee. Although Brazil made meaningful efforts in all relevant areas during the reporting period, the government has not established legislation related to child trafficking in compliance with international standards. In addition, there are not enough labor inspectors to provide sufficient coverage of the workforce, and local governments lack the capacity to fully implement and monitor the National Program to Eradicate Child Labor, Bolsa Familia, and other social protection programs.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Brazil engage in the worst forms of child labor, including in commercial sexual exploitation. (1-3) Children also engage in child labor in agriculture, including in the production of coffee. (4,5) The 2016 National Household Survey, published in November 2017, estimated that 998,000 children ages 5 to 17 engaged in child labor: 190,000 children ages 5 to 13, and 808,000 adolescents ages 14 to 17. (6-8) The North and Northeast regions had the highest number of child laborers, with almost half working in agriculture. (6) Table I provides key indicators on children’s work and education in Brazil. Data on some of these indicators are not available from the sources used in this report.

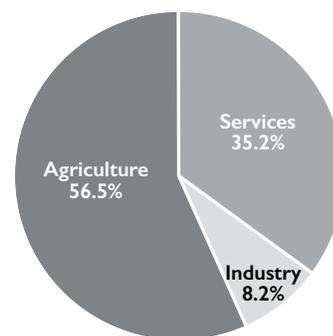
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	2.1 (638,943)
Attending School (%)	5 to 14	98.0
Combining Work and School (%)	7 to 14	2.4
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019. (9)

Source for all other data: International Labor Organization’s analysis of statistics from Pesquisa Nacional por Amostra de Domicílios (PNAD) Continua, 2015. (10)

Figure I. Working Children by Sector, Ages 5-14



Brazil

MODERATE ADVANCEMENT

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 bananas, ceramics, citrus fruits,† cocoa, coffee, corn, cotton,† manioc, mate tea, pineapples,† rice, sisal,† soy, sugarcane,† and tobacco† (4,5,11-16)
	Cattle ranching and raising livestock, including hogs, poultry, and sheep (5,11,13,17)
	Fishing and harvesting mollusks† (5,13,18)
	Forestry, including logging,† extracting carnauba palm leaves, and producing charcoal† (5,13,19-21)
Industry	Slaughtering animals,† including for beef production (22,23)
	Processing manioc flour† and cashews† (24,25)
	Production of bricks† (26,27)
	Production of footwear† and textiles, including garments (11,13,28)
Services	Street work,† including vending,† washing cars,† and garbage scavenging† (29-32)
	Work in markets and fairs, including hauling fruits and vegetables and transporting heavy loads (22,32,33)
	Work in fast-food establishments (34)
	Selling alcoholic beverages† (33)
	Artistic and sports related activities and cultural work (11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (1-3,29-31)
	Forced domestic work and playing in soccer clubs, each sometimes as a result of human trafficking (29,35,36)
	Forced labor in agriculture, including in the production of coffee and manioc (4,29,37,38)
	Use by gangs to perform illicit activities, including drug trafficking, sometimes as a result of human trafficking (29,31,33,39-42)

† 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.

The overall scope and magnitude of commercial sexual exploitation of children is unknown, however in 2018, the Federal Highway Police, in collaboration with Childhood Brazil, published a report that identified 2,487 areas along highways in the country where children are vulnerable to commercial sexual exploitation. (1,43) The states with the highest number of vulnerable areas for commercial sexual exploitation of children were Ceará, Goiás, Pará, Minas Gerais, and Paraná. In addition, the Northeast region was found to have the highest number of vulnerable areas in the country, followed by the South. (1,44) Child sex tourism is also particularly common in tourist and coastal areas, and girls from other South American countries are exploited for commercial sex in Brazil. (36)

In November 2018, the ILO and the Labor Prosecution Service (MPT) of Brazil published a report indicating that at least 8,000 children and adolescents were found to be working in the country in the production of cocoa. The study was conducted during the period of July 2017 to June 2018, and aims to expose companies and hold them accountable for their child labor and forced labor violations. (45,46)

Research found that schools, particularly those in rural areas, are overcrowded, have poor infrastructure, and lack basic resources and teachers. (29,31,47) In addition, children in remote rural areas, including approximately 11,000 indigenous children, do not have birth certificates, which may affect their ability to access education or social services because birth registration documents are required for school enrollment. (29,31,48) In November 2018, the Brazilian Chamber of Deputies deliberated over draft legislation approved by the Senate in 2016 that would alter the National Education Law to require schools to register children without birth certificates. (49) However, multiple state and municipal governments continued implementing a policy that required schools to guarantee school registration even in the absence of a birth certificate. (50)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Brazil 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 Brazil's legal framework to adequately protect children from the worst forms of child labor, including child trafficking for labor exploitation.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 403 of the Labor Code (51)
Minimum Age for Hazardous Work	Yes	18	Article 2 of the Hazardous Work List (52)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Work List (52)
Prohibition of Forced Labor	Yes		Articles 149 and 149-A of the Penal Code (53,54)
Prohibition of Child Trafficking	No		Article 149-A of the Penal Code; Article 244-A of the Child and Adolescent Statute (54,55)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 218-A, 218-B, and 227–228 of the Penal Code; Articles 240–241 and 244-A of the Child and Adolescent Statute (53,55)
Prohibition of Using Children in Illicit Activities	Yes		Articles 33 and 40 of the National System of Public Policies on Drugs; Article 244-B of the Child and Adolescent Statute (55,56)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 127 of the Military Service Regulation (57)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 5 of the Military Service Law (58)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	17	Article 4 of the National Education Law (59)
Free Public Education	Yes		Article 4 of the National Education Law (59)

During the reporting period, the city of Fortaleza, in the state of Ceará in the Northeast region of the country, signed a law requiring businesses to publicly display signs highlighting the dangers of child labor and featuring the national Dial 100 human rights hotline. (60) The law also establishes administrative fines, ranging from \$130 to \$1,300, for those who violate child labor laws, as well as those who fail to display the required signage. (61) In addition, the Ministry of Labor (MTE) published a new version of the “Dirty List” in October 2018, comprising 209 employers found to be using slave labor. At the beginning of 2019, the Secretariat of Labor Inspection, now overseen by the new Ministry of Economy, added 202 employers to the list. (61-63)

Brazil

MODERATE ADVANCEMENT

Prohibitions against child trafficking for forced labor exploitation require the use of threats, violence, coercion, fraud, or abuse to be established for the crime of child trafficking and therefore do not meet international standards. (54) As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completions of compulsory education. (51, 59)

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 MTE that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Economy	Oversees the Secretariat of Social Security and Labor, which is responsible for the enforcement of labor laws, including those related to child labor and forced labor. Mobile inspection units also conduct unannounced inspections at sites in which forced labor, including forced child labor, is suspected. (60) In January 2019, the President of Brazil restructured the executive branch of government. As a result, the responsibilities of the Ministry of Labor were transferred to the Ministry of Economy and the Ministry of Justice. (64)
Labor Prosecution Service (MPT)	Prosecutes child labor and forced labor violations by working with prosecutors from its National Committee to Combat Child and Adolescent Labor, an in-house body that coordinates efforts to combat child labor. Collects fines for forced labor violations and allocates funds for initiatives that address child labor and forced labor. (65)
Military, Civil, and Federal Police	In the case of military police, operate at the local level and refer cases to the civil police for investigation. (60) Regarding federal police, work on interstate or international cases and maintain a database to track cases of human trafficking for sexual exploitation. (11,31) The Federal Highway Police help identify areas at high risk of commercial sexual exploitation. (66)
Ministry of Justice	Leads efforts to combat human trafficking, oversees the operations of Advanced Posts (<i>Postos Avançados</i>) and state-run Anti-Trafficking Coordination Centers (<i>Núcleos de Enfrentamento</i>). Provides guidance to federal, state, and local government officials on referrals for victims of human trafficking, including to Anti-Trafficking Coordination Centers, Specialized Social Assistance Reference Centers, and NGOs. (67) Twelve Advanced Posts operate throughout the country to identify human traffickers and potential victims in high-transit areas, including airports and bus stations. (67)
Ministry of Human Rights	Administers Dial 100, a human rights violations hotline that directs child labor, child trafficking, and child sexual exploitation complaints to the appropriate institution for follow up. In 2018, Dial 100 received 1,860 calls reporting cases of child labor, 14 cases of child trafficking, and 2 cases of forced child labor. (60)
National Forum of the Judiciary for Monitoring the Effectiveness of Policies on Forced Labor and Human Trafficking	Collects data on forced labor and human trafficking cases. Comprising 15 judges, including the president of the Supreme Federal Court, judges from the Supreme Labor Court, and 12 members of the National Council of Justice. (67)

In January 2019, the President of Brazil restructured the executive branch of government. As a result, the responsibilities of the Ministry of Labor were transferred between the Ministry of Economy (MOE) and the Ministry of Justice. (64) The MOE subsequently created the Secretariat of Social Security and Labor, which is responsible for the enforcement of labor laws. (64)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Brazil took actions to combat child labor (Table 6). However, gaps existed within the operations of the MTE that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$3,178,399 (68)	\$3,072,390 (68)
Number of Labor Inspectors	2,387 (31)	2,309 (60)
Inspectorate Authorized to Assess Penalties	Yes (31)	Yes (60)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Initial Training for New Labor Inspectors	Yes (31)	Yes (60)
Training on New Laws Related to Child Labor	Yes (31)	Yes (60)
Refresher Courses Provided	Yes (31)	Yes (60)
Number of Labor Inspections Conducted	205,979 (69)	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number of Child Labor Violations Found	10,092 (31)	13,887 (60)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (60)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (31)	Yes (60)
Routine Inspections Targeted	Yes (31)	Yes (60)
Unannounced Inspections Permitted	Yes (31)	Yes (60)
Unannounced Inspections Conducted	Yes (31)	Yes (60)
Complaint Mechanism Exists	Yes (31)	Yes (60)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (31)	Yes (60)

In May 2018, MTE's Secretariat for Labor Inspection launched a dashboard accessible to the public with data on labor inspections, including modules with disaggregated data on child labor and slave labor inspections; the child labor module was still under development by the end of the reporting period. The MPT also maintains an online platform with information on slave labor. (70,71)

Although the government had experienced significant funding issues limiting their ability to enforce child labor laws during the previous reporting period, reports indicate that the MTE was able to carry out all planned inspections during this reporting period resulting in a 40 percent increase in the number of children rescued from situations of forced labor—from 1,008 children in 2017 to 1,854 in 2018. In addition, the government conducted 9,898 child labor inspections, an increase from 7,491 inspections in 2017. (60) Labor inspectors also identified 1,700 cases of slave labor and rescued 1,133 victims during 231 inspections. (61) It is unknown how many of these victims were children as the majority of slave labor cases were found in rural areas, where the practice is historically common. (61,72) Upon finding children in hazardous working conditions, MTE officials immediately remove the children and return them to their families or refer them to social services providers. (60) The number of labor inspectors is likely insufficient for the size of Brazil's workforce, which includes approximately 104.2 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Brazil would employ about 6,947 labor inspectors. (73-75)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Brazil 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 holding violators of child labor laws accountable in accordance with the law.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (31)	Yes (60)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (67)	N/A
Refresher Courses Provided	Yes (31)	Yes (60)
Number of Investigations	Unknown	29 (61)
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	32 (31)	10 (61)
Number of Convictions	5 (31)	3 (61)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (31)	Yes (60)

Brazil

MODERATE ADVANCEMENT

In 2018, the Brazilian police conducted the largest operation to combat child pornography in the country's history, resulting in the arrest of 89 individuals for their involvement in the production, storage, and distribution of child pornography. (60) Law enforcement officials also received training on how to use the Child Protective System software to investigate cases of online child commercial sexual exploitation. (60,61) Moreover, in October 2018, Brazil and Argentina launched a joint police operation to combat the commercial sexual exploitation of children, which resulted in the identification and arrest of more than 30 perpetrators. (61)

Although the Federal Police claim to maintain a database to track cases of human trafficking for sexual exploitation, there is no process for collecting and tracking the data, and it is not disaggregated by victims' ages. (76) In addition, according to the government, the judicial system does not sufficiently hold perpetrators accountable for child labor law violations, including forced child labor, which may lead to a sense of impunity among violators. (11)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
National Committee for the Eradication of Child Labor	Leads the implementation of the National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents. Led by the Ministry of Labor (MTE) and includes 17 government agencies and representatives from trade unions, business associations, and civil society organizations. (76,77) In 2018, the committee drafted the third National Action Plan to Eradicate Child Labor and Protect Adolescent Workers. (78)
Inter-sectoral Commission to Combat Sexual Violence Against Children and Adolescents	Monitors implementation of the National Plan to Combat Sexual Violence Against Children and Adolescents. Led by the Ministry of Justice's Special Secretariat for Human Rights (SDH). (79,80) In 2018, the Inter-sectoral Commission worked on a decree to legitimize the plan on the municipal level. This decree gives guidelines for social services and programs to guarantee the rights of children and adolescents. (68,81)
National Committee to Combat Forced Labor	Coordinates and evaluates the implementation of the National Plan for the Eradication of Forced Labor and led by SDH. (82) From 2017 to 2018, the State Commission for the Eradication of Slave Labor in Bahia, the State Secretariat of Education, MPT, and the NGO Repórter Brasil implemented a joint project to raise awareness of forced labor that reached approximately 20,000 students and 655 educators in 90 schools in Bahia. (83)
National Committee to Combat Trafficking in Persons	Coordinates activities to address human trafficking. Led by the Ministry of Justice. (84) In 2018, conducted awareness-raising events during the annual Trafficking in Persons Mobilization Week. (83)
Inter-agency Committee to Implement Strategies to Ensure the Protection of Children's and Adolescents' Rights	Coordinates the implementation of policies to protect children's and adolescents' rights, including the National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents. Led by SDH. (85) In 2018, created Resolutions 213–215 for the protection of children's and adolescent's rights, including protections against violence, child trafficking, exploitation, and abuse. (68,86-88)
Labor Justice Commission for the Eradication of Child Labor and Protection of Working Adolescents	Coordinates efforts to eliminate child labor and ensure that adolescents have decent work opportunities. (89) Includes 11 representatives from the Superior Labor Court and regional labor courts. (90) Reports indicated that no activities were undertaken by the Labor Justice Commission for the Eradication of Child Labor and Protection of Working Adolescents during the reporting period. (68)
Anti-Trafficking Coordination Centers (Núcleos de Enfrentamento)	Coordinates activities carried out by local, state, and federal agencies to combat human trafficking. Established in 16 states and the Federal District. (67) In 2018, conducted awareness-raising campaigns and seminars about human trafficking throughout the country and reached several thousand students, teachers, and civil society. (83,91-93)

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 funding and implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan to Prevent and Eradicate Child Labor and Protect Adolescent Workers III (2019–2022)†	Aims to eradicate child labor by 2025 by increasing access to quality education and pathways for adolescents of minimum working age to enroll in apprenticeship programs. (61,94)
National Plan to Combat Sexual Violence Against Children and Adolescents (2013–2020)	Identifies strategies to prevent the sexual exploitation of children, protect children's rights, and assist child victims. (80) Research was unable to determine whether activities were undertaken to implement the National Plan to Combat Sexual Violence Against Children and Adolescents during the reporting period.
National Plan to Combat Human Trafficking III (2018–2022)†	Outlines Brazil's strategy to address human trafficking. Includes 58 goals that aim to increase victim assistance and prevention, raise public awareness, and improve information and policy management by 2022. (61,95)
National Plan for the Eradication of Forced Labor	Establishes the policy framework to address forced labor. (96) Research was unable to determine whether activities were undertaken to implement the National Plan for the Eradication of Forced Labor during the reporting period.
Federal Pact for the Eradication of Forced Labor	Aims to establish a forced labor database to share research and data, create state-level plans to combat forced labor, and strengthen inter-agency coordination. Led by the Ministry of Justice's SDH, and signed by 15 states. (97,98) As of the reporting period, the Federal Pact has been signed by 23 states, up from 15 states in 2016. (97-100)
National Education Plan (2014–2024)	Aims to expand access to education and improve the quality of education. Plans to allocate 10 percent of Brazil's gross domestic product to public education by 2024. (101) Although progress has been made across many of the 20 goals, only 1 goal was completed during the reporting period. Research indicates that five goals were due to be completed as of 2016. (60,102)
National Policy to Promote Full-Time Schools	Aims to combat child labor by implementing longer school hours and providing academic and vocational training. (103)

† Policy was approved during the reporting period.

‡ The government had other policies which may have addressed child labor issues or had an impact on child labor. (104)

During the reporting period, the state of Pará approved a plan to address slave labor. The policy seeks to promote the creation of municipal plans and committees to combat slave labor. (105)

In May 2018, a regional court, São Paulo City Hall, and Infraero, the company that operates Congonhas Airport, the third busiest airport in the country, reached an agreement to eradicate child labor from the airport. The agreement was the final step of a process that began in 2013, when seven children were found during labor inspections working as shoe shiners in the airport. Under the agreement, Infraero will provide training to airport employees on combating child labor, maintain a permanent space for children to receive social assistance, and create an apprenticeship program for qualifying youth who are of the minimum working age. (61,106) São Paulo City Hall also will provide a team of social workers to facilitate the child social assistance space. (61)

Research found that greater resources are needed to ensure adequate implementation of the National Education Plan. (104,107)

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 assist child victims of human trafficking and commercial sexual exploitation.

Table 10. Key Social Programs to Address Child Labor

Program	Description
National Program to Eradicate Child Labor (Programa de Erradicação do Trabalho Infantil [PETI])†	Ministry of Citizenship (MOC) social assistance program that combats child labor through awareness-raising activities, victim identification and protection, and conditional cash transfers. (108,109) To receive program benefits, family participants must ensure that children are not working and maintain at least 85 percent school attendance. (110) In 2018, PETI developed a step-by-step guide to help municipalities to implement the program, and removed 11,625 children and adolescents from child labor. (60,111) By the end of 2018, more than 83,000 families had participated in the program. (111)

Brazil

MODERATE ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
#StopChildLabor Campaign (#ChegaDeTrabalhoInfantil)	MPT campaign that uses celebrities to raise awareness of child labor. (112) In March 2018, the Public Labor Ministry in Porto Alegre, in Rio Grande do Sul, partnered with the city's running club for three runs leading up to the city's international marathon in June to raise awareness of child labor. (60)
Living Together and Strengthening Links Program (<i>Serviço de Convivência e Fortalecimento de Vínculo</i>)†	MOC social assistance program for vulnerable groups, including child laborers. Aims to strengthen familial and communal ties through sports, artistic, and cultural activities. Offers services at Social Assistance Reference Centers and Living Centers. (113) Active in 2018. (60)
Social Assistance Reference Centers‡	MOC program that provides vulnerable populations, including victims of child labor and commercial sexual exploitation, with psychological, social, and legal services. (114,115) Active in 2018. (60)
Family Stipend (<i>Bolsa Família</i>)†	MOC program that provides families living in poverty and extreme poverty with cash transfers. (39,116) During the reporting period, 14 million families participated in <i>Bolsa Família</i> . (117)
Brazil Without Extreme Poverty (<i>Brasil Sem Miséria</i>)†	MOC program that lifts people out of extreme poverty by guaranteeing a minimum income; expanding access to public services, including education, health, and citizenship; and increasing job opportunities and income generation for the poorest families. (118) One program component, Caring Brazil (<i>Brasil Carinhoso</i>), focuses on <i>Bolsa Família</i> participants with children ages 0 to 15 and a monthly family income of less than \$22 per person. (119) In 2018, the government approved an increase in funds for the program Caring Brazil, and distributed several educational kits to pre-schools around the country. (120-122)
National Program on Job Training and Employment (<i>Programa Nacional de Acesso ao Ensino Técnico e Emprego</i>)†	Ministry of Education program that provides job training and employment opportunities to workers and social program recipients, including high school students. (123,124) Active in 2018. (60)
South-South Cooperation Projects‡	Government of Brazil-funded projects implemented by ILO to combat child labor and promote South-South cooperation. (125) In July 2018, the Government of Brazil and ILO provided technical assistance and funding to the Ministry of Labor and Social Services of Jamaica to host a 5-day national training of trainers workshop on labor inspection, with a focus on child labor. The workshop aimed to promote a better understanding of the importance of labor inspections in the prevention and elimination of child labor; and in the enforcement of national laws on child labor. (126)
USDOL-Funded Projects	USDOL-funded projects implemented by ILO that aim to combat child labor and forced labor. Consolidating and Disseminating Efforts to Combat Forced Labor in Brazil and Peru (2012–2018) is a \$6.8 million project that combats forced labor, and shares Brazil's best practices with the Government of Peru and Peruvian stakeholders. The Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor MAPI6 conducts research and develops new survey methodologies, improves awareness, strengthens policies and government capacity, and promotes partnerships to combat child labor and forced labor. In 2018, (MAPI6) supported development of a forced labor questionnaire module that will be attached to the 2019 National Health Survey. Additional information is available on the USDOL website.

† Program is funded by the Government of Brazil.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (127,128)

In 2018, the state of Maranhão created a program to provide victims of slave labor with protection and reintegration services, raise awareness of slave labor, and promote coordination amongst state government agencies. (129) The state of Maranhão also partnered with NGO Repórter Brasil to raise awareness of forced labor in schools and reached more than 109,000 children, teachers, and school personnel in 2018. (130)

Because the National Program to Eradicate Child Labor and *Bolsa Família* are decentralized, municipal governments are responsible for their implementation and monitoring, and some municipalities struggle to carry them out. The challenges include responding to the needs of program participants, complex local contexts and geographic areas, excessive program requirements, and high staff turnover. (39) In addition, many states report a lack of resources to adequately assist victims of human trafficking, and research found a lack of specialized shelters for child victims of commercial sexual exploitation. (29,36)

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 Brazil (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws do not require the use of threats, violence, coercion, fraud, or abuse to establish the crime of child trafficking for forced labor exploitation.	2016 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Publish information regarding the number of labor inspections conducted, number of labor inspections conducted at worksites, number of child labor penalties imposed that were collected, number of criminal investigations conducted, and number of violations found.	2012 – 2018
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2014 – 2018
	Impose penalties for convictions related to the worst forms of child labor.	2018
	Collect and track data on cases regarding human trafficking for sexual exploitation and ensure that the data are disaggregated by victims' ages.	2009 – 2018
	Ensure that all violators of child labor laws, including the worst forms of child labor, are held accountable in accordance with the law.	2015 – 2018
Coordination	Ensure the Labor Justice Commission for the Eradication of Child Labor and Protection of Working Adolescents is active.	2018
Government Policies	Provide adequate resources to ensure that the goals outlined in the National Education Plan are achieved.	2015 – 2018
Social Programs	Remove barriers to education, including by ensuring an adequate number of trained teachers, improving school infrastructure, and taking steps to enroll children in rural areas.	2013 – 2018
	Expand the accessibility of birth registration services in remote areas and ensure that indigenous communities are aware of the benefits of birth registration.	2013 – 2018
	Support local governments in the implementation and monitoring of PETI and <i>Bolsa Família</i> .	2009 – 2018
	Provide adequate resources to state governments to ensure that child trafficking victims receive appropriate social services, and ensure the availability of specialized shelters for child victims of commercial sexual exploitation.	2012 – 2018

REFERENCES

- 1 Policia Rodoviária Federal, et. al. 7º Mapeamento dos Pontos Vulneráveis à Exploração Sexual de Crianças e Adolescentes nas Rodovias Federais Brasileiras. MAPEAR. May 2018. <https://www.prf.gov.br/agencia/wp-content/uploads/2018/05/Mapear-Cartilha.pdf>.
- 2 Consultor Jurídico. Compete à Justiça do Trabalho Julgar Exploração Sexual Infantil. May 25, 2016. <http://www.conjur.com.br/2016-mai-25/compete-justica-trabalho-julgar-exploracao-sexual-infantil>.
- 3 Cunha, Joana. Pará é emblema da exploração sexual; conheça o drama das ribeirinhas. Epoca. May 22, 2017. <http://www1.folha.uol.com.br/seminariosfolha/2017/05/1885719-para-emblema-da-exploracao-sexual-conheca-o-drama-de-meninas-a-beira-dos-rios.shtml>.
- 4 Danwatch. Bitter Coffee: Slavery-like Working Conditions and deadly Pesticides on Brazilian Coffee Plantations. March 2016. <https://www.danwatch.dk/wp-content/uploads/2016/03/Danwatch-Bitter-Coffee-MARCH-2016.pdf>.
- 5 ABRINQ Foundation. O Trabalho Infantil no Brasil. 2017. <http://www.chegadetrabalho infantil.org.br/wp-content/uploads/2017/06/Versão-Final-Trabalho-Infantil-no-Brasil-Desafio-Trab-Inf-Ativ-Agrícolas-I.pdf>.
- 6 Silveira, Daniel. Trabalho infantil: quase 1 milhão de menores trabalham em situação ilegal no Brasil, aponta IBGE. November 29, 2017. <https://g1.globo.com/economia/noticia/trabalho-infantil-quase-1-milhao-de-menores-trabalham-em-situacao-ilegal-no-brasil-aponta-ibge.ghtml>.
- 7 Instituto Brasileiro de Geografia e Estatística. Pesquisa Nacional por Amostra de Domicílios Contínua: Trabalho infantil 2016. Brasília. January 9, 2018. https://biblioteca.ibge.gov.br/visualizacao/livros/liv101388_informativo.pdf.
- 8 Gomes, Irene. Trabalho infantil: mais de 20 milhões de crianças realizavam tarefas domésticas. IBGE - Agência de Notícias. November 29, 2017. <https://agenciadenoticias.ibge.gov.br/agencia-noticias/2012-agencia-de-noticias/noticias/18384-trabalho-infantil-mais-de-20-milhoes-de-criancas-realizavam-tarefas-domesticas>
- 9 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 10 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Pesquisa Nacional por Amostra de Domicílios (PNAD) Continua, 2015. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 11 U.S. Embassy- Brasília. Reporting. January 15, 2016.
- 12 Vinicius, Cassius. O Sabor Amargo do Trabalho Escravo na Extração da Erva-mate. August 30, 2016. <http://www.esquerdadiario.com.br/O-sabor-amargo-do-trabalho-escravo-na-extracao-da-erva-mate>.
- 13 Fórum Nacional de Prevenção e Erradicação do Trabalho Infantil (FNPETI). O TRABALHO INFANTIL NOS PRINCIPAIS GRUAMENTOS DE ATIVIDADES ECONÔMICAS DO BRASIL December 2016. <http://www.tst.jus.br/documents/2237892/0/estudo/2802c7cc-36a1-c216-cfca-328630c73119>.
- 14 Santiado, Henriqueta. Em Dez Anos 108 Mil Deixam Trabalho Infantil na Paraíba. Portal CZN. October 18, 2010. <http://portalczn.com.br/em-dez-anos-108-mil-deixam-trabalho-infantil-na-paraiba/>.
- 15 U.S. Embassy- Brasília. Reporting. November 6, 2017.

MODERATE ADVANCEMENT

- 16 Melo, Jessica. Não é brincadeira: O trabalho infantil que Santa Catarina não vê. Rádio AL, April 25, 2014. http://agenciaal.ale.sc.gov.br/index.php/radioal/noticia_single_radioal/naeo-e-brincadeira-o-trabalho-infantil-que-santa-catarina-naeo-ve.
- 17 U.S. Embassy Brasilia official. Email communication to USDOL official. March 31, 2017.
- 18 Câmara Record. No Alagoas, crianças abandonam os estudos para trabalhar na produção de sururu. June 26, 2017. <https://www.youtube.com/watch?v=FTLhAC-yK0w>.
- 19 Ojeda, Igor, and Stefano Wroblewski. Paulistano Usa Carvão Feito com Trabalho Escravo e Infantil. Reporter Brasil, January 24, 2014. <http://reporterbrasil.org.br/2014/01/paulistano-usa-carvao-feito-com-trabalho-escravo-e-infantil/>.
- 20 Câmara Record. Carvoaria de Minas Gerais contrata mão de obra infantil por R\$ 20. June 26, 2017. https://www.youtube.com/watch?v=-_xh62DaNR8.
- 21 Hanson, Hilary. Workers Who Help Make Haribo Gummies Kept In 'Slave'-Like Conditions, Says Report. October 26, 2017. https://www.huffingtonpost.com/entry/haribo-slave-conditions-labor-animal-cruelty_us_59f20663e4b077d8dfc80bc2?ncid=inbInkushpimg00000009&link_id=83&can_id=fac138fb6be3a66213f845403005bd4&source=email-media-mentions-october-26-2017&email_referrer=email_253.
- 22 Villela, Sumaia. Despite Strict Laws, Child Labor in Brazil Is Not Going Away. August 11, 2016. <http://www.brazzil.com/23990-despite-strict-laws-child-labor-in-brazil-is-not-going-away>.
- 23 Câmara Record. Em Pernambuco, crianças trabalham em matadouros em condições insalubres. June 26, 2017. <https://www.youtube.com/watch?v=Rpd7xy4G3mY>.
- 24 Globo Repórter. Reportagem denuncia exploração de crianças na extração da castanha de caju. May 4, 2016. <https://www.youtube.com/watch?v=lblz7rM-Ouc>.
- 25 Câmara Record. Crianças deixam de frequentar a escola para trabalhar em tempo integral. June 26, 2017. https://www.youtube.com/watch?v=zcBg_bQudVk.
- 26 Associação Nacional de Medicina do Trabalho (ANAMT). MPT quer o fim do trabalho infantil em olarias de Cabreúva. October 23, 2015. <https://www.anamt.org.br/portal/2015/10/29/mpt-quer-o-fim-do-trabalho-infantil-em-olarias-de-cabreuva/>.
- 27 Associação Nacional de Medicina do Trabalho. MPT quer o fim do trabalho infantil em olarias de Cabreúva. October 23, 2015. <https://www.anamt.org.br/portal/2015/10/29/mpt-quer-ofim-do-trabalho-infantil-em-olarias-de-cabreuva/>.
- 28 Sindicato dos Trabalhadores(as) nas Indústrias de Calçados de Jaú. Governo Temer prepara o terreno para aumento do trabalho infantil. June 12, 2017. <https://trabalhadoresdejaui.com/2017/06/12/governo-temer-prepara-o-terreno-para-aumento-do-trabalho-infantil/>.
- 29 UN Committee on the Rights of the Child. Concluding Observations on the Combined Second to Fourth Periodic Reports of Brazil. October 30, 2015: CRC/C/BRA/CO/2-4. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/BRA/CO/2-4&Lang=en.
- 30 Transforming Childhoods Research Network, and University of Dundee. 'Let's Win This Game Together' Documenting Violations of Children's Rights Around the 2014 FIFA World Cup in Brazil. 2015. <http://www.childrenwin.org/wp-content/uploads/2015/06/15337-SoE-Let's-Win-This-Game-Together-Report-A4.pdf>.
- 31 U.S. Embassy- Brasilia. Reporting. January 16, 2018.
- 32 Government of Brazil. Grupo Móvel de Combate ao Trabalho Infantil Obtém Sucesso em sua Primeira Operação. Ministério do Trabalho e Emprego. November 12, 2015. <http://www.fnpeti.org.br/noticia/1524-grupo-movel-de-combate-ao-trabalho-infantil-obtem-sucesso-em-sua-primeira-operacao.html>.
- 33 Agência Brasil. Trabalho Infantil no Nordeste Perpetua o Ciclo da Pobreza e Miséria. O POVO Online, June 12, 2016. <http://www.opovo.com.br/app/maisnoticias/brasil/2016/06/12/noticiasbrasil,3623300/trabalho-infantil-no-nordeste-perpetua-o-ciclo-da-pobreza-e-miseria.shtml>.
- 34 UOL Economia. Em 1 Ano, 5.688 Crianças Foram Resgatadas de Trabalho Infantil, Diz Governo. June 22, 2015. <http://economia.uol.com.br/empregos-e-carreiras/noticias/redacao/2015/06/09/em-1-ano-5688-criancas-foram-resgatadas-de-trabalho-infantil-diz-governo.htm#fotoNav=6>.
- 35 Pires, Breiller. Abuso Sexual e Tráfico de Crianças Ainda Assombram o Futebol Brasileiro. September 12, 2016. http://www.vice.com/pt_br/read/abuso-sexual-e-traffic-de-criancas-ainda-assombram-o-futebol-brasileiro.
- 36 U.S. Department of State. Trafficking in Persons Report- 2018: Brazil. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/brazil/>.
- 37 Ministério Público do Trabalho em Minas Gerais. Operação Conjunta Flagra Exploração de Trabalho Análogo ao de Escravo na Colheita de Café. August 13, 2015. <http://www.prt3.mpt.gov.br/procuradorias/prt-belo-horizonte/484-operacao-conjunta-flagra-exploracao-de-trabalho-analogo-ao-de-escravo-na-colheita-de-cafe>.
- 38 Câmara Record. Câmara Record mostra crianças manuseando faca em trabalho agrícola. June 27, 2017. <https://www.youtube.com/watch?v=63eikBctC-c>.
- 39 Ferreira Moura, James. Síntese da Pesquisa de Avaliação das Boas práticas das Ações Estratégicas do Programa de Erradicação do Trabalho Infantil. Brasília. October 2017. <http://mds.gov.br/assuntos/assistencia-social/servicos-e-programas/peti/apresentacoes>.
- 40 Diplomacia Civil. Existem Crianças Soldado no Brasil e na América Latina? May 27, 2016. <http://diplomaciacivil.org.br/criancas-soldado-nao-estao- apenas-em-conflitos-africanos-america-latina-tem-parcela-de-culpa/>.
- 41 Corrêa, Hudson. Traficantes cariocas recrutam e armam crianças cada vez mais novas para o crime. Época, January 16, 2017. <http://epoca.globo.com/brasil/noticia/2017/01/traficantes-cariocas-recrutam-e-armam-criancas-cada-vez-mais-novas-para-o-crime.html>.
- 42 Fórum Nacional de Prevenção e Erradicação do Trabalho Infantil (FNPETI). Trabalho Infantil nos ODS. October 2017. <http://www.fnpeti.org.br/arquivos/biblioteca/84f6ae8786c869b86174ff76d8a66a93.pdf>.
- 43 Terre des Hommes, et. al. Sexual Exploitation of Children in Brazil: Putting a Spot on the Problem. May 9, 2014. http://www.childrenwin.org/wp-content/uploads/2014/06/140509_Sexual-exploitation-of-children-in-Brazil_putting-a-spot-on-the-p....pdf.
- 44 Government of Brazil. Mapeamento mostra pontos vulneráveis à exploração sexual de crianças e adolescentes nas rodovias federais. Ministério da Mulher, da Família e dos Direitos Humanos. May 23, 2018. <https://www.mdh.gov.br/todas-as-noticias/2018/maio/mapeamento-mostra-pontos-vulneraveis-a-exploracao-sexual-de-criancas-e-adolescentes-nas-rodovias-federais>.
- 45 Console, Luciana. «Chocolate à venda no Brasil está contaminado por trabalho infantil», diz pesquisador. December 4, 2018. https://www.brasilefato.com.br/2018/12/04/todo-chocolate-a-venda-no-brasil-esta-contaminado-pelo-trabalho-infantil-entenda/index.html?fbclid=IwAR2Rx9i0xoSporINbv0DWKDX_kpsg9FtEHd_Xuqj9PWbYgQuMfzRVBQ6q0w.
- 46 Government of Brazil. Relatório sobre trabalho escravo e infantil na cadeia produtiva do cacau será lançado nesta sexta (30). Ministério Público do Trabalho. November 26, 2018. <https://mpt.mp.br/pgt/noticias/relatorio-sobre-trabalho-escravo-e-infantil-na-cadeia-produtiva-do-cacau-sera-lancado-nesta-sexta-30>.

- 47 de Oliveira, Cida. Fechamento de escolas rurais obriga crianças a passar mais tempo na estrada que em aula. Rede Brasil Atua. March 9, 2017. <http://www.redebrasilatual.com.br/educacao/2017/03/fechamento-de-escolar-rurais-obriga-criancas-a-passar-mais-tempo-na-estrada-do-que-em-sala-de-aula>.
- 48 UOL. Projeto beneficia 11 mil crianças indígenas. April 8, 2016. <http://noticias.band.uol.com.br/noticias/100000801370/projeto-beneficia-11-mil-criancas-indigenas.html>.
- 49 Câmara dos Deputados. Educação aprova matrícula em escola sem apresentar certidão de nascimento ou identidade. Brasília. November 9, 2018. <https://www2.camara.leg.br/camara/noticias/noticias/EDUCACAO-E-CULTURA/565317-EDUCACAO-APROVA-MATRICULA-EM-ESCOLA-SEM-APRESENTAR-CERTIDAO-DE-NASCIMENTO-OU-IDENTIDADE.html>.
- 50 Winkel, Sophia. As crianças sem registro. April 26, 2018. <https://gestaoescolar.org.br/conteudo/1904/as-criancas-sem-registro>.
- 51 Government of Brazil. Decreto-Lei N° 5.452, Consolidação das Leis do Trabalho (with modifications until October 2013). Presidência da República. Enacted: May 1, 1943. http://www.planalto.gov.br/ccivil_03/decreto-lei/Del5452.htm.
- 52 Government of Brazil. Decreto N° 6.481. Presidência da República. Enacted: June 12, 2008. http://www.planalto.gov.br/ccivil_03/_Ato2007-2010/2008/Decreto/D6481.htm.
- 53 Government of Brazil. Código Penal (with modifications until 2013). N° 2.848. Presidência da República. Enacted: December 7, 1940. http://www.planalto.gov.br/ccivil_03/Decreto-Lei/Del2848compilado.htm.
- 54 Government of Brazil. Lei N° 13.344, amending the Penal Code. Presidência da República. Enacted: October 6, 2016. http://www.planalto.gov.br/ccivil_03/_Ato2015-2018/2016/Lei/L13344.htm.
- 55 Government of Brazil. Estatuto da Criança e do Adolescente. Lei N° 8.069. Presidência da República. Enacted: July 13, 1990. http://www.planalto.gov.br/ccivil_03/leis/L8069.htm.
- 56 Government of Brazil. Lei N° 11.343. Presidência da República. Enacted: August 23, 2006. http://www.planalto.gov.br/ccivil_03/_ato2004-2006/2006/lei/11343.htm.
- 57 Government of Brazil. Decreto N° 57.654. Presidência da República. Enacted: January 20, 1966. http://www.planalto.gov.br/ccivil_03/decreto/d57654.htm.
- 58 Government of Brazil. Lei N° 4.375, Lei do Serviço Militar. Presidência da República. Enacted: August 17, 1964. http://www.planalto.gov.br/ccivil_03/leis/l4375.htm.
- 59 Government of Brazil. Lei N° 9.394. Presidência da República. Enacted: December 20, 1996. http://www.planalto.gov.br/ccivil_03/Leis/L9394.htm.
- 60 U.S. Embassy - Brasília. Reporting. January 29, 2019.
- 61 U.S. Embassy - Brasília. Reporting. February 28, 2019.
- 62 Agência Brasil. Nova lista suja de trabalho escravo denuncia 209 empresas. Sindicato dos Comerciantes. October 9, 2018. <https://ocomerciarior.com.br/index.php/2018/10/09/nova-lista-suja-de-trabalho-escravo-denuncia-209-empresas/>.
- 63 Costa, Daiane. Nova lista suja do trabalho escravo tem 202 empregadores. Confira quem são. January 21, 2019. <https://oglobo.globo.com/economia/nova-lista-suja-do-trabalho-escravo-tem-202-empregadores-confira-quem-sao-23389860>.
- 64 CBPI. Realocação das estruturas do extinto Ministério do Trabalho nos organogramas do Novo Governo. January 2019. <http://segtrabcampo.blogspot.com/2019/01/realocacao-das-estruturas-do-extinto.html>.
- 65 Government of Brazil. Criança e Adolescente. Ministério Público do Trabalho Procuradoria-Geral. March 8, 2016. http://portal.mpt.mp.br/wps/portal/portal_mpt/mpt/area-atuacao/crianca-adolescente.
- 66 Polícia Rodoviária Federal. Enfrentamento à exploração sexual de crianças e adolescentes. Accessed: February 24, 2017. <https://www.prf.gov.br/portal/policiamento-e-fiscalizacao/atuacao-em-direitos-humanos/denuncia-de-ponto-de-exploracao-sexual>.
- 67 U.S. Embassy - Brasília. Reporting. February 8, 2018.
- 68 U.S. Embassy Brasília official. Email communication to USDOL official. July 8, 2019.
- 69 Escola Nacional da Inspeção do Trabalho (ENIT). Inspeção do Trabalho realizou 205.979 fiscalizações em 2017. January 31, 2018. <https://enit.trabalho.gov.br/portal/index.php/arquivo-de-noticias/293-inspecao-do-trabalho-realizou-205-979-fiscalizacoes-em-2017>.
- 70 Government of Brazil. Radar SIT: Pannel de Informações e Estatísticas da Inspeção do Trabalho no Brasil. Secretaria da Inspeção do Trabalho. Accessed 2019. <https://sit.trabalho.gov.br/radar/>
- 71 Government of Brazil. Observatório do Trabalho Escravo. Ministério Público do Trabalho. Accessed 2018. <https://observatorioescravo.mpt.mp.br/>.
- 72 O Globo. Em 2018, fiscais identificaram 1,7 mil casos de trabalho escravo no Brasil. January 28, 2019. <https://oglobo.globo.com/economia/em-2018-fiscais-identificaram-17-mil-casos-de-trabalho-escravo-no-brasil-23409423>.
- 73 CIA. The World Factbook. Accessed: January 19, 2018. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>
- 74 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 75 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy, November 2006. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 76 Government of Brazil. Finalidade da CONAETI. Ministério do Trabalho e Emprego. March 4, 2014. Source on file.
- 77 Government of Brazil. Órgãos e Entidades que Compõem a CONAETI. Ministério do Trabalho e Emprego. February 29, 2016. Source on file.
- 78 U.S. Embassy Brasília official. Email communication to USDOL official. May 10, 2019.
- 79 Government of Brazil. Comissão Intersetorial de Enfrentamento da Violência Sexual contra Crianças e Adolescentes. Secretaria de Direitos Humanos da República. Accessed: February 29, 2016. Source in file.
- 80 Government of Brazil. Plano Nacional de Enfrentamento da Violência Sexual contra as Crianças e Adolescentes. Gadelha, Graça, et al. May 2013. http://www.crianca.mppr.mp.br/arquivos/File/publi/sedh/08_2013_pnevsc.pdf.
- 81 Government of Brazil. Ações do MDH para enfrentamento à violência sexual são apresentadas na Câmara dos Deputados. Ministry of Women, Family and Human Rights. September 9, 2018. <https://www.mdh.gov.br/todas-as-noticias/2018/setembro/acoes-do-mdh-para-enfrentamento-a-violencia-sexual-sao-apresentadas-na-camara-dos-deputados>.
- 82 Government of Brazil. Combate ao Trabalho Escravo. Ministério da Justiça e Cidadania. Accessed: March 13, 2017. <http://www.sdh.gov.br/assuntos/conatrae/programas/comissao-nacional-para-a-erradicacao-do-trabalho-escravo>.
- 83 U.S. Embassy Brasília official. Email communication to USDOL official. May 8, 2019.

MODERATE ADVANCEMENT

- 84 Government of Brazil. Comitê Nacional de Enfrentamento ao Tráfico de Pessoas. Ministério da Justiça. Accessed: March 8, 2018. <http://www.justica.gov.br/sua-protecao/trafico-de-pessoas/politica-brasileira/conatrap>.
- 85 Government of Brazil. Carta de Constituição de Estratégias em Defesa da Proteção Integral dos Direitos da Criança e do Adolescente. Conselho Superior da Justiça, et al. October 9, 2012. <https://www.tjdf.t.jus.br/cidadaos/infancia-e-juventude/publicacoes/publicacoes-1/carta-de-constituicao-de-estrategias-em-defesa-da-protecao-integral-dos-direitos-da-crianca-e-do-adolescente>.
- 86 Government of Brazil. RESOLUÇÃO N° 213, DE 20 DE NOVEMBRO DE 2018. November 20, 2018. <https://www.direitosdacrianca.gov.br/conanda/resolucoes/resolucao-no-213-de-20-de-novembro-de-2018/view>.
- 87 Government of Brazil. RESOLUÇÃO N° 214, DE 22 DE NOVEMBRO DE 2018. November 22, 2018. <https://www.direitosdacrianca.gov.br/conanda/resolucoes/resolucao-no-214-de-22-de-novembro-de-2018/view>.
- 88 Government of Brazil. RESOLUÇÃO N° 215, DE 22 DE NOVEMBRO DE 2018. November 22, 2018. <https://www.direitosdacrianca.gov.br/conanda/resolucoes/resolucao-no-215-de-22-de-novembro-de-2018/view>.
- 89 Government of Brazil. Ato Conjunto N° 21/TST.CSJT.GP.Tribunal Superior do Trabalho, and Conselho Superior da Justiça. Enacted: July 19, 2012. <http://bit.ly/1etKFvP>.
- 90 Government of Brazil. Ato Conjunto N° 6/TST.CSJT.GP. Conselho Superior da Justiça do Trabalho. Enacted: March 10, 2014. http://aplicacao.tst.jus.br/dspace/bitstream/handle/1939/36779/2014_atc0006_tst_csjt.pdf?sequence=1.
- 91 PBAGORA. Comitê de Enfrentamento ao Tráfico de Pessoas e PRF realizam ação na PB. Paraíba. July 20, 2019. <https://www2.pbagora.com.br/noticia/paraiba/20180720164537/comite-de-enfrentamento-ao-traficode-pessoas-e-prf-realizam-acao-na-pb>.
- 92 Portal da Cidade - Foz do Iguaçu. IDESF faz ação na Ponte da Amizade em campanha contra o tráfico de pessoas. October 22, 2018. <https://foz.portaldacidade.com/noticias/cidade/idesf-faz-acao-na-ponte-da-amizade-em-campanha-contra-o-trafico-de-pessoas>.
- 93 Circuito do Mato Grosso. Exposição sobre trabalho escravo e tráfico de pessoas será aberta hoje. July 25, 2018. <http://circuitomt.com.br/editorias/cultura/132049-exposicao-sobre-trabalho-escravo-e-trafico-de-pessoas-sera-aberta-hoje.html>.
- 94 Government of Brazil. III Plano Nacional de Prevenção e Erradicação do Trabalho Infantil e Proteção ao Adolescente Trabalhador (2019–2022). November 29, 2018. https://www.mdh.gov.br/todas-as-noticias/2018/novembro/lancado-3o-plano-nacional-de-prevencao-e-erradicacao-do-trabalho-infantil/copy_of_PlanoNacionalversosite.pdf.
- 95 Government of Brazil. III Decreto N° 9.440: III Plano Nacional de Enfrentamento ao Tráfico de Pessoas. Presidência da República. July 3, 2018. http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2018/decreto/D9440.htm.
- 96 Government of Brazil. 2° Plano Nacional para a Erradicação do Trabalho Escravo. Conselho Nacional de Justiça. 2008. <https://reporterbrasil.org.br/documentos/novoplanonacional.pdf>.
- 97 Bandeira, Regina. Pacto Federativo de Combate ao Trabalho Escravo Será Assinado no CNJ. CNJ de Notícias, December 12, 2016. <http://www.cnj.jus.br/noticias/cnj/84168-pacto-federativo-de-combate-ao-trabalho-escravo-sera-assinado-no-cnj-2>.
- 98 Government of Brazil. Portaria N° 110. Ministério da Justiça e Cidadania. Enacted: January 24, 2017. http://www.trtsp.jus.br/geral/tribunal2/ORGaos/Min_Div/MJ_Port110_17.html.
- 99 Government of Brazil. Pacto Federativo para a Erradicação do Trabalho Escravo. 2018. <https://www.mdh.gov.br/navegue-por-temas/combate-ao-trabalho-escravo/pacto-federativo>.
- 100 Government of Brazil. Estados assinam pacto de combate ao trabalho escravo no CNJ. December 13, 2016. <http://www.cnj.jus.br/noticias/cnj/84174-dezesseis-estados-assinam-pacto-de-combate-ao-trabalho-escravo-no-cnj>.
- 101 Government of Brazil. Planejando a Próxima Década - Conhecendo as 20 Metas do Plano Nacional de Educação. Ministério da Educação. 2014. http://pne.mec.gov.br/images/pdf/pne_conhecendo_20_metas.pdf.
- 102 O Globo. Plano Nacional de Educação tem uma meta alcançada em 20 e risco de estagnação e descumprimento, diz relatório. June 7, 2018. <https://g1.globo.com/educacao/noticia/plano-nacional-de-educacao-tem-uma-meta-alcançada-em-20-e-risco-de-estagnacao-e-descumprimento-diz-relatorio.ghtml>.
- 103 Government of Brazil. Lei N° 13.415. Presidência da República. February 16, 2017. http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2017/Lei/L13415.htm.
- 104 Craide, Sabrina. Plano Nacional de Educação completa três anos com apenas 20% das metas cumpridas. June 22, 2017. <http://agenciabrasil.ebc.com.br/educacao/noticia/2017-06/plano-nacional-de-educacao-completa-tres-anos-com-apenas-20-das-metas>.
- 105 Government of Brazil. Política e plano de erradicação do trabalho escravo são aprovados. Estado do Pará. December 17, 2018. <http://www.ioepa.com.br/pages/2018/2018.12.17.DOE.pdf>.
- 106 World Atlas. The Busiest Airports in Brazil. April 25, 2017. <https://www.worldatlas.com/articles/which-are-the-busiest-airports-in-brazil.html>.
- 107 Rocha, Gessyca. Plano Nacional de Educação tem uma meta alcançada em 20 e risco de estagnação e descumprimento, diz relatório. June 7, 2018. <https://g1.globo.com/educacao/noticia/plano-nacional-de-educacao-tem-uma-meta-alcançada-em-20-e-risco-de-estagnacao-e-descumprimento-diz-relatorio.ghtml>.
- 108 U.S. Embassy Brasília official. Email communication to USDOL official. March 21, 2016.
- 109 Jornal do Brasil. Brasil é Líder na Erradicação do Trabalho Infantil, Afirma OIT. July 4, 2015. <http://www.jb.com.br/pais/noticias/2015/07/04/brasil-e-lider-na-erradicacao-do-trabalho-infantil-afirma-oit/>.
- 110 Government of Brazil. PETI - Programa do Governo Federal para Erradicação do Trabalho Infantil. Accessed: February 29, 2018. <http://www.caixa.gov.br/programas-sociais/peti/Paginas/default.aspx>.
- 111 Government of Brazil. Caderno de Orientações Técnicas para o aperfeiçoamento da gestão do Programa de Erradicação do Trabalho Infantil - PETI. Ministério do Desenvolvimento Social. June 2018. https://redeassocialpg.files.wordpress.com/2018/06/caderno_orientac3a7c3b5es_tecnica-aepeti-2018.pdf.
- 112 Justificando. MPT lança campanha contra à exploração do trabalho infantil. June 9, 2017. <http://justificando.cartacapital.com.br/2017/06/09/mpt-lanca-campanha-contra-exploracao-do-trabalho-infantil/>.
- 113 Government of Brazil. Convivência e Fortalecimento de Vínculos. Ministério do Desenvolvimento Social. June 22, 2015. <http://mds.gov.br/assistencia-social-suas/servicos-e-programas/servicos-de-convivencia-e-fortalecimento-de-vinculos>.
- 114 U.S. Embassy - Brasília. Reporting. February 13, 2015.
- 115 Boqnews. Novo Centro de Referência Atende Vítimas de Violência. September 4, 2014. <http://www.boqnews.com/cidades/inaugurado-equipamento-que-atende-vitimas-de-violencia/>.
- 116 Government of Brazil. Conheça o Programa Bolsa Família. Ministério do Desenvolvimento Social. July 1, 2015. <http://mds.gov.br/assuntos/bolsa-familia/o-que-e>.

- 117 Government of Brazil. Bolsa Família beneficia mais de 13,7 milhões de famílias em junho. Ministério da Cidadania. June 18, 2018. <http://mds.gov.br/area-de-imprensa/noticias/2018/junho/bolsa-familia-beneficia-mais-de-13-7-milhoes-de-familias-em-junho>.
- 118 Government of Brazil. Apresentação. Ministério do Desenvolvimento Social. August 7, 2015. <http://mds.gov.br/assuntos/brasil-sem-miseria/o-que-e>.
- 119 Government of Brazil. Brasil Carinhoso. Ministério do Desenvolvimento Social. July 16, 2015. <http://mds.gov.br/brasil-sem-miseria/acesso-a-servicos/brasil-carinhoso>.
- 120 União dos Municípios da Bahia. Prefeitura de Candeias entrega kits do Programa Brasil Carinhoso. May 9, 2018. <http://www.upb.org.br/noticias/prefeitura-de-candeias-entrega-kits-do-programa-brasil-carinhoso>.
- 121 Senado Notícias. CE aprova mais verbas para o Brasil Carinhoso. March 27, 2018. <https://www12.senado.leg.br/noticias/materias/2018/03/27/ce-aprova-mais-verbas-para-o-brasil-carinhoso>.
- 122 Portal do Município Timóteo. Prefeitura de Timóteo entrega kits para creches conveniadas. December 13, 2018. <http://www.timoteo.mg.gov.br/noticias/10022/prefeitura-de-timoteo-entrega-kits-para-creches-conveniadas>.
- 123 Government of Brazil. Lei Nº 12.816. Presidência da República. Enacted: June 5, 2013. http://www.planalto.gov.br/ccivil_03/_ato2011-2014/2013/Lei/L12816.htm.
- 124 Government of Brazil. Pronatec. Ministério da Educação. Accessed: April 1, 2016. <http://portal.mec.gov.br/pronatec>.
- 125 ILO-IPEC Geneva official. Email communication to USDOL official. March 14, 2019.
- 126 ILO. Training of Trainers Workshop on Labour Inspection With Focus on Child Labour. July 2–6, 2018. https://www.ilo.org/caribbean/events-and-meetings/WCMS_633592/lang-en/index.htm.
- 127 ILO. ARISE II - Global Training Programme: Elimination of Child Labour in Tobacco-Growing Communities. Accessed June 12, 2017. http://www.ilo.org/ipecc/projects/global/WCMS_355736/lang-en/index.htm.
- 128 UNICEF, and Human Rights Secretariat. Proteja Brasil. Accessed: March 20, 2018. <http://www.protejabrasil.com.br/us/>.
- 129 Estado de Maranhão. Governador assina decreto que institui Programa Estadual de Enfrentamento ao Trabalho Escravo. São Luís. November 26, 2018. <http://www.ma.gov.br/agenciadenoticias/direitos-humanos/governador-assina-decreto-que-institui-programa-estadual-de-enfrentamento-ao-trabalho-escravo>.
- 130 Estado de Maranhão. Escravo Nem Pensar leva prevenção contra o trabalho escravo a 110 mil maranhenses em 2018. São Luís. November 10, 2018. <http://www.ma.gov.br/agenciadenoticias/direitos-humanos/escravo-nem-pensar-leva-prevencao-contr-o-trabalho-escravo-a-110-mil-maranhenses-em-2018>.

Research found no evidence that child labor exists in the British Virgin Islands. However, in 2018, the government made no advancement in efforts to prevent the worst forms of child labor. The law does not have a list of hazardous work prohibited for children and does not prohibit the involvement of children in illicit activities.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in the British Virgin Islands. (1-5) Table I provides one key indicator on children's education in the British Virgin Islands. Data on other key indicators are not available from the sources used in this report.

Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		81.1

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (6)
All other data were unavailable from International Labor Organization's analysis, 2019. (7)

The cost of uniforms, books, and lunches prevent some children from attending school. In addition, violence in schools can deter children from attending. (5,6) Children not in school may be vulnerable to engage in child labor.

II. LEGAL FRAMEWORK FOR CHILD LABOR

British Overseas Territories (BOTs) recognize the jurisdiction and sovereignty of the United Kingdom (UK), but are not constitutionally part of the UK. They are self-governing, except in the areas of foreign affairs and defense. (8) Domestic UK law does not generally apply unless explicitly extended in the British Virgin Islands. Under Article 35(4) of the ILO Constitution, when the UK ratifies a Convention, the Territory must consider if it will accept the Convention. (8) If the Convention is accepted, it is considered applicable to that territory. (1,8) The following Convention has been extended to the British Virgin Islands (Table 2).

Table 2. 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 of the British Virgin Islands has established laws and regulations related to child labor (Table 3). However, gaps exist in the British Virgin Islands' legal framework to adequately protect children from the worst forms of child labor, including prohibition of using children in illicit activities.

Table 3. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 128 of the Labor Code (9)
Minimum Age for Hazardous Work	Yes	18	Article 130 of the Labor Code (9)

British Virgin Islands

NO ADVANCEMENT

Table 3. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 130 and 146 of the Labor Code (9)
Prohibition of Forced Labor	Yes		Article 14 of the Constitution Order; Section 201A of the Criminal Code; Article 130 of the Labor Code (9-11)
Prohibition of Child Trafficking	Yes		Section 201A of the Criminal Code (11)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 284A of the Criminal Code; Article 130 of the Labor Code (9,11)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	17	Section 2b of the Education Amendment Act of 2014; Division 3, Paragraph 28 of the Education Act (12,13)
Free Public Education	Yes		Article 22 of the Constitution Order; Section 17 of the Education Act (10,12)

* No conscription (14)

† No standing military (8,14)

In the British Virgin Islands, the Labor Code specifies that hazardous work is to be defined by the Minister of Labor, but the Minister of Labor has not defined hazardous work for children. (1,4) The law does not criminally prohibit the recruitment of children by non-state armed groups. (11)

Because 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.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor. However, in the British Virgin Islands, the UK government has established an institutional mechanism for the enforcement of labor laws (Table 4).

Table 4. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor	Enforces labor laws and collects data and statistics on violations of the Labor Code. (9)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor. However, the Government of the British Virgin Islands has established child protection programs promoting children's rights, which may contribute to the prevention of child labor. (3,15)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor in the British Virgin Islands (Table 5).

Table 5. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2012 – 2018
	Ensure that the use of children in illicit activities, including the production and trafficking of drugs, is criminally prohibited.	2015 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Social Programs	Ensure that all children can attend school by eliminating prohibitive school costs and violence in schools.	2018

REFERENCES

- 1 U.S. Embassy- London. Reporting. January 24, 2017.
- 2 U.S. Embassy- London. Reporting. January 15, 2015.
- 3 U.S. Embassy- London. Reporting. January 22, 2016.
- 4 U.S. Embassy- London. Reporting. January 17, 2018.
- 5 U.S. Embassy- London. Reporting. February 6, 2019.
- 6 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary. Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 7 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 8 U.S. Embassy- London. Email communication to USDOL official. May 8, 2014.
- 9 Government of the British Virgin Islands. Virgin Islands Labour Code, 2010. Enacted: 2010. <http://bviaco.org/Portals/0/xBlog/uploads/2016/3/24/LabourCode2010.pdf>.
- 10 Government of the British Virgin Islands. The Virgin Islands Constitution Order 2007. Enacted: June 15, 2007. <http://www.bvi.org.uk/files/constitution2007.pdf>.
- 11 Government of the British Virgin Islands. Criminal Code (Amendment) Act, 2007, 3. Enacted: February 8, 2007. Source on file.
- 12 Government of the British Virgin Islands. Virgin Islands Education Act. Enacted: August 5, 2004. <http://www.bvi.gov.vg/sites/default/files/resources/Education Act, 2004.pdf>.
- 13 Government of the British Virgin Islands. Education (Amendment) Act. Enacted: June 14, 2014. [http://www.bvi.gov.vg/sites/default/files/resources/Virgin Islands Education \(Amendment\) Act, 2014_0.pdf](http://www.bvi.gov.vg/sites/default/files/resources/Virgin Islands Education (Amendment) Act, 2014_0.pdf).
- 14 CIA. The World Factbook: British Virgin Islands. Accessed August 6, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>
- 15 Government of the United Kingdom of Great Britain and Northern Ireland official. Email communication to USDOL official. March 22, 2018.

In 2018, Burkina Faso made a moderate advancement in efforts to eliminate the worst forms of child labor. During the course of the reporting period, the government has removed more than 2,000 children from artisanal mining sites and placed them in the care of social services. The government also employed 255 full-time labor inspectors, an increase of more than 50 percent with respect to the previous reporting period, and launched a new National Program of Economic and Social Development, which includes child labor elimination and prevention strategies. However, children in Burkina Faso engage in the worst forms of child labor, including in artisanal gold mining and quarrying. Children also perform dangerous tasks in cotton harvesting. Limited resources for the enforcement of child labor laws may hinder government efforts to protect children from engaging in the worst forms of child labor. In addition, the Labor Code does not identify the activities in which children may engage in light work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Burkina Faso engage in the worst forms of child labor, including in artisanal gold mining and quarrying. Children also perform dangerous tasks in cotton harvesting. (1-6) Table 1 provides key indicators on children's work and education in Burkina Faso.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	42.1 (2,116,752)
Attending School (%)	5 to 14	41.9
Combining Work and School (%)	7 to 14	21.7
Primary Completion Rate (%)		63.5

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization's analysis of statistics from Enquête Démographique et de Santé et à Indicateurs Multiples, 2010. (8)

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	Planting, weeding, and harvesting crops, including cotton and mangos (1,3,4,6,9,10)
	Raising and herding† livestock, including cattle and goats (3,9,11,12)
Industry	Artisanal mining† of gold, including digging† and crushing† rock, installing dynamite,† working underground,† carrying water and other heavy loads,† and using cyanide† and mercury† (1,4,10,12-22)
	Quarrying† and transporting heavy loads† while working to extract granite (20,23-27)
	Working in carpentry† and construction (11,12)
Services	Domestic work (5,9,11,12,28,29)
	Street work, including vending† (5,9,11,12,24)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (5,9,30,31)
	Farming, including production of cotton and livestock raising, domestic work, begging, gold mining, and quarrying, each as a result of human trafficking (1,3,30,32)

† 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.

Burkina Faso

MODERATE ADVANCEMENT

Burkina Faso is a destination, transit point, and source for child trafficking to and from other West African countries. Child trafficking also occurs within Burkina Faso. (5,30,33,34) The practice of *confiage*, which involves sending a child to live with a relative or friend to attend school in a larger town or city, may place children at risk of internal human trafficking. (35) Child labor in artisanal gold mining is particularly acute and often exposes children to dangerous chemicals used in the gold extraction process, such as cyanide and mercury. (3-5,36-39) In 2018, Burkina Faso was the second-largest producer of cotton in Africa, with a reported 250,000 children involved extensively in the production of cotton, primarily on small family farms. Children involved in the production of cotton are exposed to many health risks, including exposure to pesticides, injury from the use of sharp tools, animal bites, and respiratory issues due to the inhalation of cotton dust. (6) Terrorist attacks and mass displacement of people in the north and east of the country resulted in a large number of internally displaced people, with the UN Office of Humanitarian Affairs estimating 102,000 at the end of 2018, with a large number of those being children left in more precarious and vulnerable situations. (39-41)

According to the UN Office for the Coordination of Humanitarian Affairs, in early 2019, more than 1,000 schools have closed due to security threats, mostly in the north and east, affecting more than 100,000 students. (38) Although the Law Orienting the Education System mandates free education until age 16, the costs of uniforms, school-related fees, teacher shortages, and school infrastructure shortfalls in rural areas hinder children's access to education. (1,2,23,42) During the reporting period, the government worked with the UNHCR to deploy mobile courts to remote villages, issuing birth certificates and national identity documents to qualified citizens. (40) About a quarter of children under age 5 in Burkina Faso lack a birth certificate. Birth certificates are required to attend school, so many of these children remain out of school and vulnerable to child labor. (40,43)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Burkina Faso 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 Burkina Faso's legal framework to adequately protect children from the worst forms of child labor, including unspecified light work provisions.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 152 of the Labor Code; Order Deviating the Age of Admission to Employment (44,45)
Minimum Age for Hazardous Work	Yes	18	Articles 149–150 of the Labor Code; Article 1 of the Hazardous Work List (44,46)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 153 of the Labor Code; Articles 3–6 of the Hazardous Work List; Article 77 of the Mining Code (44-47)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Articles 5 and 153 of the Labor Code; Articles 3–5 of the Law Suppressing the Sale of Children, Child Prostitution and Child Pornography; Article 1 of the Law on Combating Trafficking of Persons and Similar Practices (44,48,49)
Prohibition of Child Trafficking	Yes		Article 153 of the Labor Code; Articles 1–5 and 14–15 of the Law on Combating Trafficking of Persons and Similar Practices (44,49)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 153 of the Labor Code; Articles 3–4, 7–10, and 20 of the Law Suppressing the Sale of Children, Child Prostitution and Child Pornography (44,48)
Prohibition of Using Children in Illicit Activities	Yes		Article 153 of the Labor Code (44)
Minimum Age for Voluntary State Military Recruitment	Yes	20	Article 2 of the Decree Organizing Operations Related to Convoking the Contingent (50)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 153 and 424 of the Labor Code (44)
Compulsory Education Age	Yes	16	Article 4 of the Law Orienting the Education System (42)
Free Public Education	Yes		Article 6 of the Law Orienting the Education System (42)

* No conscription (51)

The light work provisions in the Labor Code are not sufficiently specific to prevent children from involvement in child labor, because activities in which light work may be permitted are not identified in legislation. (44,45)

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 Public Service, Labor, and Social Security (MFPTSS) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service, Labor, and Social Security (MFPTSS)	Enforces labor laws, including child labor laws and laws on the worst forms of child labor, and establishes a government policy to combat child labor. (9,52-54) Uses provincial committees to raise awareness, conducts workshops for community members, and enforces laws at the local level. (55)
Ministry of Women, National Solidarity, and Family (MFSNF)	Removes children from exploitative child labor; provides reintegration services through its mobile unit for intervention, and works with local village surveillance committees on awareness-raising efforts through participation in joint routine inspections with MFPTSS, the lead agency on child labor law enforcement. (9,53,56) Operates a free hotline to report child abuse. Maintains civil registry offices in maternity wards to register newborn babies. (2,57,58) Uses its National Council for Childhood to oversee all policies for the survival, protection, development, and participation of children in broader policy initiatives. (59)
Ministry of Territorial Administration, Decentralization and Interior Security (MATDSI)	Oversees criminal cases involving children and women, which are referred to the Ministry of Justice for prosecution, through its Morals Brigade in the MATDSI National Police Force. (60,61) Assists MFPTSS through joint routine inspections related to child labor in the course of actions against traffickers. (56)
Ministry of Justice	Appoints one or more judges who specialize in child protection issues to each high court to oversee juvenile court cases. Collaborates with MFSNF social workers in charge of child protection to conduct investigations on behalf of vulnerable children, including victims of child trafficking, commercial sexual exploitation, exploitative child labor, and begging. (62)
Parliamentary Network for the Promotion of Child Rights	Trains government officials on children's rights, including child labor laws and other issues affecting children. (1,63,64)

Burkina Faso

MODERATE ADVANCEMENT

Labor Law Enforcement

In 2018, labor law enforcement agencies in Burkina Faso took actions to combat child labor (Table 6). However, gaps exist within the operations of the MFPTSS that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (65)	\$126,000 (38)
Number of Labor Inspectors	169 (65)	255 (38,66)
Inspectorate Authorized to Assess Penalties	Yes (65)	Yes (38)
Initial Training for New Labor Inspectors	Yes (65)	Yes (38)
Training on New Laws Related to Child Labor	N/A (65)	N/A (38)
Refresher Courses Provided	Yes (65)	Yes (38)
Number of Labor Inspections Conducted	Unknown (51)	Unknown (38)
Number Conducted at Worksite	Unknown (51)	Unknown (38)
Number of Child Labor Violations Found	Unknown (51)	Unknown (38)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (51)	Unknown (38)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (51)	Unknown (38)
Routine Inspections Conducted	Yes (65)	Yes (38)
Routine Inspections Targeted	Yes (65)	Yes (38)
Unannounced Inspections Permitted	Yes (65)	Yes (38)
Unannounced Inspections Conducted	Yes (65)	Yes (38)
Complaint Mechanism Exists	Yes (65)	Yes (38)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (65)	Yes (38)

The Government of Burkina Faso employs 255 full-time labor inspectors, an increase of more than 50 percent with respect to the previous reporting period, surpassing the ILO's technical advice. (38,66) The government indicated that it lacks adequate resources to enforce labor laws throughout the country, including the human and financial resources needed to carry out a sufficient number of preliminary labor inspections and follow-up inspections to ensure remediation of notices as part of labor law compliance. (2,30,34,38,53,65) The government did not provide information on the number of labor inspections conducted, including those conducted at worksites, and the number of child labor violations found, including the number of child labor violations for which penalties were imposed and the number of child labor penalties imposed that were collected for inclusion in this report. (34,38)

Law enforcement collaborates ad hoc with the Ministry of Women, National Solidarity, and Family (MFSNF) to provide social services to child labor victims. (23,67) It is unknown how many cases of child labor are identified as a result of complaints made to the MFSNF hotline. (51,66) Furthermore, the MFPTSS publishes an annual report listing 12 types of labor infractions; however, none relate to child labor. (9)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Burkina Faso 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 haphazard application of standard victim identification and inconsistent referral procedures by authorities and frontline responders.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (65)	Yes (38)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (38)
Refresher Courses Provided	Yes (65)	Yes (38)

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

Overview of Criminal Law Enforcement	2017	2018
Number of Investigations	Unknown (51)	Unknown (38)
Number of Violations Found	Unknown (51)	Unknown (38)
Number of Prosecutions Initiated	Unknown (51)	Unknown (38)
Number of Convictions	Unknown (51)	Unknown (38)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (34)	Unknown (34)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (65)	Yes (38)

During the course of the reporting period, the government has removed more than 2,000 children from artisanal mining sites and placed them in the care of social services. (38) Although the government has standard victim identification and referral procedures, authorities and frontline responders do not apply them uniformly. (34,38,68) The government did not provide information on the number of investigations, violations found, prosecutions initiated, and convictions for inclusion in this report. (34,38)

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 efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
National Coordination Committee for the National Action Plan to Combat the Worst Forms of Child Labor (CNC-PAN/PFTE)	Supervises, evaluates, and oversees implementation of the National Action Plan to Combat the Worst Forms of Child Labor. Chaired by the MFPTSS Directorate to Combat Child Labor and its Worst Forms. Includes representatives from various civil society organizations, 24 government ministries, and 6 observers from donor countries and international NGOs. (9,12,53) Holds meetings twice a year to review efforts to combat child labor and identify needs. (53) Research indicated that this coordination body continued to operate during the reporting period. (38)
MFPTSS Directorate to Combat Child Labor and its Worst Forms	Coordinates and leads interagency efforts to combat child labor, including its worst forms; collects information on child labor; and conducts awareness-raising activities. Serves as the Secretariat for CNC-PAN/PFTE. (65) Research indicated that this coordination body continued to operate during the reporting period. (38)
National Committee for Vigilance and Surveillance Against the Trafficking in Persons and Assimilated Practices (CNVS)	Coordinates actions at the national level to combat the worst forms of child labor, including human trafficking. Oversees Committees for Vigilance and Surveillance in each of the regions. (30) MFSNF serves as president and MATDSI is vice president. (30,57) Includes representatives from MFPTSS, the Ministry of Justice, the Ministry of Women and Gender, and NGOs. (30) Research indicated that this coordination body continued to operate during the reporting period. (38)
Child Protection Networks	Assist CNVS with coordinating and facilitating the collection of statistical data on human trafficking, specifically the trafficking of women and children. Established by MFSNF, the Networks comprise social workers, magistrates, judges, police officers, health workers, and NGOs in 23 of the country's 45 provinces. (69) Research indicated that this coordination body continued to operate during the reporting period. (38)

Poor coordination among ministries and a lack of resources, such as computers and electricity, continued to hamper the government's ability to coordinate efforts to fully address child trafficking. (2,30,38,39)

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 mainstreaming child labor issues into relevant policies covering all worst forms of child labor.

Burkina Faso

MODERATE ADVANCEMENT

Table 9. Key Policies Related to Child Labor

Policy	Description
2015 National Action Plan to Combat Trafficking	Combats human trafficking; developed by MFSNF and implemented by CNVS. (30) In 2018, as part of implementation of the plan, CNVS conducted an awareness-raising campaign, reaching approximately 500,000 people in the country. (34)
Communal Action Plan Against Trafficking (2013–2018)	Seeks to prevent child trafficking, raise awareness in local communities, and rehabilitate and reintegrate victims of child trafficking. Includes government plans for replication elsewhere in the country with a pilot in Diébougou. (30,69) In 2018, research was unable to determine whether activities were undertaken to implement this policy. (34)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (23,30,70,71)

Although the National Action Plan to Combat the Worst Forms of Child Labor ended in 2015, the new National Strategy to Combat the Worst Forms of Child Labor is with the National Development Planning Commission for review. (38,51,65,66,72-74) In addition, the new National Program of Economic and Social Development includes aspects that address child labor elimination and prevention strategies, such as an objective to halve the number of street children by 2020 through the enforcement of existing law. (38,73)

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 adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
National Program for the Fight Against Child Labor on Artisanal Gold Mining Sites and Quarries (2015–2019)†	MFSNF program that aims to prevent and withdraw children from working in artisanal gold mines as part of the government's efforts to eliminate child labor in mining by 2025. (2,30,67,75,76) Seeks to strengthen child protection systems, improve coordination among stakeholders, and implement existing legislation. Builds on the previous project (2009–2013) that aimed to eliminate child labor in mines and quarries. (67) Approximately \$42.9 million (40 percent of the program costs) is provided by the government. (2) In 2018, research was unable to determine whether activities were undertaken. (1)
Country Level Engagement and Assistance to Reduce Child Labor II	USDOL-funded capacity-building project implemented by Winrock International and partners Verité and Lawyers Without Borders in six countries to build local and national capacity of the governments to address child labor. (77-79) Additional information is available on the USDOL website.
MFSNF Projects to Combat Human Trafficking†	MFSNF-funded programs aim to combat human trafficking through the operation of transit centers that provide food, medical assistance, and counseling to child trafficking victims and children vulnerable to trafficking. (30,33,68) The transit centers aim to reintegrate victims into their communities and facilitate repatriation of foreign victims when possible. (60) The National Parenting Program assists parents in managing and educating their children to combat child trafficking. (30,69) The government funds nationwide media campaigns to combat human trafficking by providing advocacy, raising awareness, and building capacity for key actors involved in child protection issues, including child trafficking. (30,69) The government operates watchdog and monitoring committees to ensure that all cases of alleged trafficking of children are reported to the justice system by social workers. (80) In 2018, research was unable to determine whether activities were undertaken. (34)
Campaign to Remove Street Children*†	Project funded by NGO MinWomen, with coordination by the Ministry of Women, Family, and Humanitarian Action, that began in August 2018 and includes outreach missions in the streets to identify and refer vulnerable children, including forced begging victims, to one of the four youth shelters established in the Somgande, Basjuy, Nongremassom, and Cissin districts of Ouagadougou. (34,38)
World Bank-funded Projects	Includes a \$51 million Education Access and Quality Improvement Project to support the government in increasing access to preschool education in the two poorest regions and secondary education in the five poorest regions, and improve teaching and education; and a \$50 million Social Safety Net Project to provide income support to poor households and lay the foundation for a basic safety net system in Burkina Faso. (81,82)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Resilience and Economic Growth in the Sahel–Enhanced Resilience (November 2013–November 2020)	More than \$76 million USAID-funded project that builds food security and improved livelihoods in Niger and Burkina Faso. Works to increase the resilience of chronically vulnerable populations in Niger and Burkina Faso, particularly in 23 communes in the marginal agricultural and agro-pastoral belt. (36,83,84) In 2018, the program was extended for another 2 years in Burkina Faso, with an emphasis on the empowerment of local institutions in the 12 focus communes and 232 villages. It also worked to build animal assets through microfinance as an alternative to traditional practices, and to support conservation farming and remedy problems in water, sanitation, and hygiene sectors. (34)

* Program was launched during the reporting period.

† Program is funded by the Government of Burkina Faso.

Although Burkina Faso has social programs to address the worst forms of child labor in the production of cotton and in gold mining, the scope of these programs is insufficient to fully address the extent of the problem. (1,2,5)

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 Burkina Faso (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that light work provisions are sufficiently specific to prohibit children's involvement in child labor.	2016 – 2018
Enforcement	Ensure that labor law enforcement receives sufficient resources to fulfill their mandates, including by conducting an adequate number of inspections and following up after preliminary inspections to ensure remediation of notices to comply with labor law obligations.	2009 – 2018
	Publish statistics on the enforcement of child labor laws, including the number and type of labor inspections conducted and labor violations found, as well as penalties imposed and collected.	2009 – 2018
	Include the number of child labor infractions in the Ministry of Public Service, Labor, and Social Security annual report.	2015 – 2018
	Establish and publish data on a mechanism to log all calls to the government child protection hotline and track cases of child labor for referral to law enforcement or social services providers.	2015 – 2018
	Ensure that authorities and frontline responders apply standard victim identification and referral procedures uniformly.	2016 – 2018
	Publish statistics on the criminal enforcement of child labor laws, including the number of investigations, violations found, prosecutions, convictions, and imposed penalties.	2016 – 2018
Coordination	Ensure that coordinating bodies receive adequate resources, such as computers and electricity, to accomplish their mandates.	2015 – 2018
Government Policies	Take steps to implement the Communal Action Plan Against Trafficking.	2016 – 2018
Social Programs	Improve access to education by eliminating school-related fees and costs, and increasing the number of schools and teachers in rural areas.	2010 – 2018
	Make efforts to register children at birth to ensure access to social services, including education.	2010 – 2018
	Expand existing programs to fully address child labor in the production of cotton and in gold mining.	2009 – 2018
	Undertake activities to support the National Program for the Fight Against Child Labor on Artisanal Gold Mining Sites and Quarries projects and the Ministry of Women, National Solidarity, and Family projects to combat human trafficking.	2016 – 2018

REFERENCES

- UNICEF. Report of the Field Visit to Burkina Faso by Members of the Bureau of the UNICEF Executive Board, 26 April to 2 May 2014. July 7, 2014. http://www.unicef.org/about/execboard/files/2014-CRP25-Field_visit_to_Burkina_Faso-7July2014.pdf.
- U.S. Embassy- Ouagadougou. Reporting, January 28, 2016.
- Sollinger, Marc. Children Mining for Gold in Burkina Faso. PBS.org, February 2, 2015. Source on file.
- Government of Burkina Faso. Etude de base pour la Relecture du Décret No. 2009-365/PRES/PM/MTSS/MS/MASSN du 28 mai 2009 Portant Détermination de la Liste des Travaux Dangereux Interdits aux Enfants au Burkina Faso. May 28, 2009. Source on file.
- U.S. Department of State. Trafficking in Persons Report- 2018: Burkina Faso. Washington, DC. 2019. <https://www.state.gov/reports/2018-trafficking-in-persons-report/burkina-faso/>.

Burkina Faso

MODERATE ADVANCEMENT

- 6 Suisse Solidar. ENQUÊTE SUR LE COTON. January, 2019. https://www.solidar.ch/sites/default/files/baumwoll_report_2019_f_solidar_suisse_web.pdf.
- 7 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 12, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 8 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2014. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 9 U.S. Embassy- Ouagadougou. Reporting, January 26, 2015.
- 10 International Bureau for Children's Rights. État des lieux du système de protection de l'enfant au Burkina Faso portant sur les rôles et responsabilités des policiers, des gendarmes, des travailleurs sociaux et du personnel de justice. July 5, 2017. http://www.ibcr.org/wp-content/uploads/2017/07/Etat-des-lieux-Burkina-Faso_COURTE_web.pdf.
- 11 Institut National de la Statistique et de la Démographie. Analyse Complémentaire sur le Travail des Enfants Agés de 5 à 14 Ans au Burkina Faso. May 2011. http://www.insd.bf/n/contenu/enquetes_recensements/enquete_travail_des_enfants/Etude_compltaire_travail_enfants.pdf.
- 12 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Burkina Faso (ratification: 1999) Published: 2015. Accessed November 19, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186006.
- 13 Hubbard, Guy. In Burkina Faso, Getting Children out of the Gold Mines, UNICEF. June 12, 2014. http://www.unicef.org/infobycountry/burkinafaso_73787.html.
- 14 Terre des hommes. Child Labour Report 2017 - The Neglected Link - Effects of Climate Change and Environmental Degradation on Child Labour. June 10, 2017. https://reliefweb.int/sites/reliefweb.int/files/resources/CL-Report-2017-engl_0.pdf.
- 15 Berne Declaration. A Golden Racket: The True Source of Switzerland's "Togoese" Gold. September 2015. Source on file.
- 16 UNICEF Burkina Faso. Getting children out of mines in Burkina Faso. February 16, 2017. YouTube.com, [video]. https://www.youtube.com/watch?v=ER_pL_ZylGY.
- 17 Jacob, Sarah. 17 Images that show the real price of gold. September 30, 2015. Business Insider. <http://www.businessinsider.com/gold-miners-in-bani-burkina-faso-2015-9>.
- 18 Counterpart International. Lifting Elephants in Burkina Faso. July 20, 2016. <http://www.counterpart.org/lifting-elephants-burkina-faso>.
- 19 Hinshaw, Drew. Photos: Inside the Dangerous Lives of Underage Gold Miners. March 10, 2015. The Wall Street Journal. http://www.wsj.com/article_email/photos-inside-the-dangerous-lives-of-underage-gold-miners-1426000749-1MyQjAxMTEyNTEyNDcxNzQyVWj.
- 20 Yaro, Y, et al. Etude sur le Travail des Enfants sur les Sites d'Orpaillage et les Carrières Artisanales dans cinq Régions du Burkina Faso. Ministère de l'Action Sociale et de la Solidarité Nationale. January 2011. Source on file.
- 21 Dorrie, Peter. Fool's Gold. Africa In Fact. slateafrique.com. July 31, 2015. Source on file. <http://www.slateafrique.com/452245/les-enfants-mineurs-victimes-de-la-ruée-vers-lor-au-burkina-faso>.
- 22 Balima, Jacques Théodore. Orpaillage: « Eau Vive » veut promouvoir les droits humains sur les sites. April 12, 2017. lefaso.net. <http://lefaso.net/spip.php?article76637>.
- 23 U.S. Embassy- Ouagadougou. Reporting, January 23, 2017.
- 24 Agence France-Presse. Burkina: Une Enfance. July 8, 2016. slateafrique.com. <http://www.slateafrique.com/677911/burkina-une-enfance-?-casser-des-cailloux-dans-les-mines-de-granit>.
- 25 Counterpart International official. Interview with USDOL official. January 12, 2016.
- 26 McGlasson, Claire. Out of the Mine and into the Nursery: How Charities from the East are Bringing Hope to Burkina Faso. June 4, 2014. ITV News. <http://www.itv.com/news/anglia/2014-06-04/out-of-the-mine-and-into-the-nursery-how-charities-from-the-east-are-bringing-hope-to-burkina-faso/>.
- 27 Rioux Soucy, Louise-Maude. Buriner le Granit à Mains nues. November 8, 2014. Le Devoir. <http://www.ledevoir.com/culture/television/423053/jeudi-13-novembre-buriner-le-granite-a-mains-nues>.
- 28 KidsRights. Minors not Miners: Hazardous Child Labour, with a focus on gold mining in Burkina Faso. June 12, 2014. [https://kidsrights.org/sites/default/files/inline-files/Minors not Miners - Hazardous Child Labour, with a focus on gold mining in Burkina Faso_0.pdf](https://kidsrights.org/sites/default/files/inline-files/Minors%20not%20Miners%20-%20Hazardous%20Child%20Labour,%20with%20a%20focus%20on%20gold%20mining%20in%20Burkina%20Faso_0.pdf).
- 29 UN Committee on Economic, Social and Cultural Rights. Concluding Observations on the Initial Report of Burkina Faso. July 12, 2016: E/C.12/BFA/CO/1. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/150/67/PDF/G1615067.pdf?OpenElement>.
- 30 U.S. Embassy- Ouagadougou. Reporting. February 19, 2016.
- 31 Africa News. Nigeria; Sex Slaves - Syndicate Allegedly Kidnaps 40 Nigerian Girls. July 18, 2017. Source on file.
- 32 Sabine, Léa and So Some Sien. La Marchandisation des Enfants au Burkina Faso: Trafic, Traite et Exploitation. November 25, 2015. Institut des Mondes Africains. <http://imaf.cnrs.fr/spip.php?article893&lang=fr>.
- 33 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Burkina Faso (ratification: 2001) Published: 2015. Accessed November 19, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186027.
- 34 U.S. Embassy- Ouagadougou official. Email communication to USDOL official. June 19, 2019.
- 35 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Burkina Faso (ratification: 2001) Published: 2015. Accessed November 6, 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186023:YES.
- 36 U.S. Embassy- Ouagadougou official. Email communication to USDOL official. June 6, 2017.
- 37 Agence France-Presse. Burkina Faso's Child Miners Dig for Gold and a Better life. bdlive.co.za. March 27, 2014. Source on file.
- 38 U.S. Embassy- Ouagadougou. Reporting. February 22, 2019.
- 39 U.S. Embassy- Ouagadougou. Reporting. March 27, 2019.
- 40 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Burkina Faso. Washington, DC. 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/burkina-faso/>
- 41 U.S. Embassy- Ouagadougou. Reporting. February 22, 2019. Second.
- 42 Government of Burkina Faso. Government of Burkina Faso. Loi N° 013-2007/AN Portant loi d'orientation de l'éducation. Enacted: July 30, 2007. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/77498/82167/F578256246/BFA-77498.pdf>.
- 43 UNICEF Data. Burkina Faso. Accessed March 28, 2019. <https://data.unicef.org/country/bfa/>.

- 44 Government of Burkina Faso. Loi N° 028-2008/AN du 13 mai 2008 Portant Code du Travail au Burkina Faso. Enacted: May 13, 2008. http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_126287.pdf.
- 45 Government of Burkina Faso. Arrêté N° 2008-027/MTSS/SG/DGSST du 26 décembre 2008 portant dérogation de l'âge d'admission à l'emploi. Enacted: December 26, 2008. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/96329/113810/F692170910/BFA-96329.pdf>.
- 46 Government of Burkina Faso. Décret N° 2016-504/PRES/PM/MFPTPS/MS/MFSNF Portant Détermination de la Liste des Travaux Dangereux Interdits aux Enfants. Enacted: June 9, 2016. Source on file.
- 47 Government of Burkina Faso. Loi N° 036-2015/CNT Portant Code Minier du Burkina Faso. Enacted: June 26, 2015. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/101264/121922/F-259063524/BFA-101264.pdf>.
- 48 Government of Burkina Faso. Loi Portant Repression de la Vente d'Enfants, de la Prostitution des Enfants et de la Pornographie Mettant en Scène des Enfants, Law N° 011-2014/AN. Enacted: April 17, 2014. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/98001/116475/F-1511397845/BFA-98001.pdf>.
- 49 Government of Burkina Faso. Loi N° 029-2008/AN Portant Lutte Contre la Traite des Personnes et Les Pratiques Assimilées. Enacted: May 15, 2008. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/79122/84952/F1942473436/BFA-79122.pdf>.
- 50 Government of Burkina Faso. Décret N° 2013-358/PRES/PM/MDNAC Portant Organisation des Opérations Relatives à l'Appel du Contingent JO N° 34 du 22 Aout 2013. Enacted: April 29, 2013. http://www.legiburkina.bf/m/Sommaires_JO/Decret_2013_00358.htm.
- 51 U.S. Embassy- Ouagadougou official. Email communication with USDOL official. February 23, 2018.
- 52 U.S. Embassy- Ouagadougou. Reporting. January 21, 2014.
- 53 Government of Burkina Faso official. Email communication to USDOL official. November 10, 2014.
- 54 Government of Burkina Faso. Décret N° 2016-006/PRES/PM/SGG-CM 06 Février 2016 Portant Attributions des Membres du Gouvernement. Enacted: February 8, 2016. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/104131/126907/F1207739908/BFA-104131.pdf>.
- 55 Ouedraogo, Amidou. Lutte Contre la Traite des Enfants dans le Noubiel. December 24, 2014. Source on file.
- 56 U.S. Embassy- Ouagadougou official. Email communication with USDOL official. April 30, 2018.
- 57 U.S. Embassy- Ouagadougou official. Email communication to USDOL official. May 20, 2014.
- 58 U.S. Embassy- Ouagadougou. Reporting. February 20, 2014.
- 59 Government of Burkina Faso. Décret N° 2014-092/PRES/PM/MASSN/MEF/MATS Portant Création, Attributions, Composition et Fonctionnement d'un Conseil National pour l'Enfance. Enacted: February 20, 2014. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/98000/116474/F-1201415008/BFA-98000.pdf>.
- 60 U.S. Embassy- Ouagadougou. Reporting. February 17, 2015.
- 61 U.S. Embassy- Ouagadougou official. Email communication to USDOL official. April 25, 2016.
- 62 Government of Burkina Faso. Décret Promulguant la loi n° 015-2014/AN du 13 mai 2014 Portant Protection de l'Enfant en Conflit avec la loi ou en Danger, Decree N° 2014-519/PRES. Enacted: June 20, 2014. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=98010.
- 63 Government of Burkina Faso. Droits de l'Enfant: Les Députés Membres du REPRODEN se Forment en Matière d'Interpellation du Gouvernement. National Assembly Burkina Faso. Accessed January 11, 2014. Source on file.
- 64 Kindo, N. REPRODEN: Au Burkina Faso, un Enfant sur Trois a un Risque Élevé de Mourir de la Malnutrition. June 3, 2014. burkina24.com. <http://burkina24.com/2014/06/03/reproden-au-burkina-faso-un-enfant-sur-trois-a-un-risque-eleve-de-mourir-de-la-malnutrition/>.
- 65 U.S. Embassy- Ouagadougou. Reporting. February 5, 2018.
- 66 U.S. Embassy- Ouagadougou official. Email communication to USDOL official. March 15, 2019.
- 67 U.S. Embassy- Ouagadougou official. Email communication to USDOL official. March 9, 2016.
- 68 U.S. Department of State. Trafficking in Persons Report- 2017: Burkina Faso. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/burkina-faso/>.
- 69 U.S. Embassy- Ouagadougou official. Email communication to USDOL official. November 27, 2015.
- 70 Government of Burkina Faso and Government of Côte d'Ivoire. Traité d'Amitié et de Coopération République de Côte d'Ivoire-Burkina Faso. July 30, 2014. http://www.diplomatie.gouv.ci/userfiles/file/Cooperation_bilaterale/TAC_OUAGA_2014_RAPPORT_CONSEIL_CONJOINT_DE_GVT.pdf.
- 71 U.S. Embassy- Ouagadougou official. Email communication to USDOL official. April 20, 2015.
- 72 Nebie, Beyon Romain. Pires formes de travail des enfants: Une nouvelle stratégie pour accentuer la lutte. June 27, 2017. <https://fr.allafrica.com/stories/201706271136.html>.
- 73 Government of Burkina Faso. Plan National de Développement Economique et Social (PNDES). 2016. <http://www.cci.bf/sites/default/files/pndes.pdf>.
- 74 Government of Burkina Faso. Plan D'Action Opérationnel 2018-2020 de la Stratégie Nationale de Lutte Contre Les Pires Formes de Travail des Enfants (SN-PFTE). December 2017. Source on file.
- 75 Sanou, Judith N. Lutte Contre le Travail des Enfants au Burkina: 700,000 Enfants Enregistrés sur les Sites d'Orpaillage. March 6, 2015. Le Quotidien. <http://news.aouaga.com/h/46811.html>.
- 76 Nikiema, Frédéric A.K. Compte Rendu du Conseil des Ministres du 2 Septembre 2015. September 2, 2015. Burkina24.com. <http://www.burkina24.com/2015/09/02/compte-rendu-du-conseil-des-ministres-du-2-septembre-2015/>.
- 77 ILO-IPEC. Country Level Engagement and Assistance to Reduce Child Labor II. October 2017: Technical Progress Report. Source on file.
- 78 ILO-IPEC. Global Action Program on Child Labour Issues. October 2017: Technical Progress Report. Source on file.
- 79 LeFaso.net. Pires formes de travail des enfants: Le projet CLEAR II fédère les énergies pour des actions plus efficaces. February 13, 2018. <http://lefaso.net/spip.php?article81934>.
- 80 UN Human Rights Committee. Concluding observations on the initial report of Burkina Faso - Addendum - Information received from Burkina Faso on follow-up to the concluding observations. September 12, 2017: CCPR/C/BFA/CO/1/Add.1. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkGI d/PPRiCAqhKb7yhsvOZ9yy4HyCRjzP2m4A/0WEZYp3T7yn7phznP46xXdN7qO0+yK9Tzgia08dEHqGltCWy j+scwdrLN3i9BSB+JMwrfqec8qPuLdHVXeHpCerHMCWtLerSzFX iJQUX/nkdvA==>.

Burkina Faso

MODERATE ADVANCEMENT

- 81 World Bank. Education Access and Quality Improvement Project (EAQIP) (P148062). June 20, 2017: Implementation Status & Results Report - Sequence 05.
<http://documents.worldbank.org/curated/en/916151497974673139/pdf/ISR-Disclosable-P148062-06-20-2017-1497974662729.pdf>.
- 82 World Bank. Social Safety Net Project (P124015). June 14, 2017: Implementation Status & Results Report - Sequence 09.
<http://documents.worldbank.org/curated/en/240971497457676248/pdf/ISR-Disclosable-P124015-06-14-2017-1497457666509.pdf>.
- 83 USAID Press Office. USAID Announces RISE: A New Initiative to Build Resilience in West Africa's Sahel. April 14, 2015. USAID.
<https://2012-2017.usaid.gov/news-information/press-releases/feb-3-2014-usaid-announces-rise-new-initiative-build-resilience-west-africa-sahel>.
- 84 USAID. RISE: Resilience in the Sahel Enhanced. February 3, 2014.
http://www.usaid.gov/sites/default/files/documents/1866/RISE_resilience_in_the_sahel_enhanced_.pdf.

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2018, Burma is receiving an assessment of no advancement. Although, Burma made some efforts to eliminate the worst forms of child labor, government officials were complicit in the use of forced child labor. The government extended the Supplementary Understanding with the ILO to continue the forced labor complaint mechanism through 2018. During the June 2018 Union Peace Conference, the government also committed to the elimination of six grave violations against children, including the recruitment and use of children as soldiers. The government also established a mechanism to coordinate efforts to address child labor. Despite these initiatives, Burma is receiving an assessment of no advancement because, in previous years, it forcibly recruited children into its national armed forces, and there is a lack of evidence that it has fully ceased this practice and that these children have been released from the armed forces. The government’s “self-reliance” policy has created an ongoing risk of forced labor in conflict areas as the national armed forces continues to coerce civilians, including children, to work as porters, cleaners, and cooks in conflict areas. In addition, several of the armed ethnic groups recruited and used children, including as combatants in armed conflict. Children in Burma engage in other worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Government policies increased children’s vulnerability to the worst forms of child labor by denying Rohingya children, displaced by conflict, access to education because of government restrictions on their movements. The penalties imposed for recruiting and using children in the military are not sufficient for the seriousness of the crime. In addition, the government did not publish information on criminal law enforcement efforts to investigate, prosecute, and convict cases involving the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Burma engage in the worst forms of child labor, including forced labor in armed conflict and commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) Table I provides key indicators on children’s work and education in Burma.

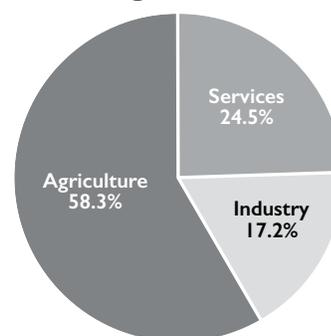
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.3 (312,151)
Attending School (%)	5 to 14	86.0
Combining Work and School (%)	7 to 14	
Primary Completion Rate (%)		96.4

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (3)

Source for all other data: International Labor Organization’s analysis of statistics from Report on Child Labor in Myanmar, 2015. (4)

Figure I. Working Children by Sector, Ages 5-14



Burma

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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	Farming, including rubber, sugarcane, beans and pulses, rice, betel nut, and bamboo (2,4-9)
	Fishing and processing fish and seafood (4-6,10)
	Forestry, including on teak plantations (4,11)
Industry	Producing garments (12-17)
	Construction and carrying stones (2,4,12,13,18-20)
	Food processing (12,13)
	Brickmaking (21)
	Quarrying and mining, including for jade and rubies (1,4,22-24)
Services	Domestic work (2,4,25-27)
	Working in teashops and restaurants, including waiting tables and washing dishes (2,4,12,20,28)
	Vending, including in fish markets, collecting garbage and recyclables, and working in transportation (5,13,20,29)
Categorical Worst Forms of Child Labor‡	Forced recruitment of children by state and non-state armed groups for use in armed conflict (1,2,30)
	Forced labor in agriculture, including harvesting bamboo and producing beans, rice, rubber, sugarcane, and teak (1,7,11,31)
	Forced labor in manufacturing bricks and construction (1,21)
	Forced labor in domestic work, teashops, and begging (1,26,27)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,8)

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

At least 174 unverified cases of recruitment into Tatmadaw ranks were under review at the end of 2018. (30) In previous years, the Tatmadaw used force and coercion to recruit children. (32,33) Civilian brokers with military connections facilitate the entry into the military of underage recruits, in some instances bypassing standard age verification procedures. Individuals recruited as children have been to the front lines of armed conflict as combatants, and there have been reports that some military officers employ children to serve as messengers or domestic workers. (1,30) The Tatmadaw’s “self-reliance” policy has led to some units using children to porter goods, cook, and clean barracks in conflict areas. (1) During the reporting period, there were at least two documented cases of children working in these types of support roles. (1,30) In addition, the Border Guard Police use children for unpaid labor. (30,34) Children were also recruited and used in armed conflict by non-state armed groups, including the Karen National Liberation Army, the Kachin Independence Army, the Karenni Army, the Shan State Army-South, the United Wa State Army, the Ta’ang National Liberation Army in Kachin, Kayin, and Shan states, and in other unidentified armed groups. (1,30)

Between August 2017 and August 2018, over 700,000 people, primarily from the Rohingya minority, fled from Burma to Bangladesh following acts of violence and ethnic cleansing perpetuated by the military in northern Rakhine State. (1,35-37) While the displacement of Rohingya people abated in 2018, conditions in Rakhine State were not conducive to the safe and voluntary return of refugees in Bangladesh. (37) As a result, an estimated 350,000 Rohingya children live in refugee camps in Bangladesh, at sites in which they are vulnerable to the worst forms of child labor. (37,38) Rohingya girls are trafficked from refugee camps for commercial sexual exploitation in Bangladesh, India, and Nepal. In some cases, girls are promised jobs in domestic service but are instead forced into commercial sexual exploitation. (39,40) There are also reports that some girls are forced into domestic service, sometimes as a result of human trafficking, and are abused by their employers. (35,41,42) Rohingya children recruited to work outside of the refugee camps, such as in shops, fishing, and transportation, are reported to be underpaid or unpaid, unable to communicate with their families, and subjected to excessive working hours. (35)

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Rohingya children internally displaced in northern Rakhine State by the ethnic violence are at increased risk to the worst forms of child labor due to a lack of access to education. During the reporting period, approximately 129,000 of these children were forced to reside in internally displaced persons (IDP) camps in central Rakhine State. (37) Government restrictions on the movement of Rohingya in these IDP camps limit children’s access to education, among other basic services. (37) Furthermore, schools in Rohingya villages in Maungdaw, Rathedaung, and Buthidaung townships where the 2017 ethnic cleansing occurred have not re-opened, while schools for ethnic Rakhine children have re-opened. (43)

Rohingya children throughout Rakhine State face severe restrictions on attending school due to discriminatory government policies and practices adopted following the 2012 riots and violent clashes between ethnic Rakhine and Rohingya communities. (44) Local officials and school authorities typically ban Rohingya children from attending government schools with ethnic Rakhine children. (44,45) The government also imposed severe travel restrictions on Rohingya, making it difficult for children to access schools outside of their IDP camps, villages, or townships. (37,46-48) These restrictions particularly impact Rohingya children ages 10 to 17 because they must travel to attend middle school and high school. (45-48) Many Rohingya children also lack the documentation that is required to attend middle schools and high schools in Rakhine State because the government denies them citizenship or officials refuse to register their household residency. (49,50) Rohingya children’s access to primary school in their villages is limited due to a lack of schools, particularly in IDP camps, and teacher absence in Muslim villages due to security concerns. (51,52) In addition to Rakhine State, children throughout Burma face barriers to education, such as long distances to schools and expenses that include uniforms, books, transportation, and “extra fees” charged by teachers and schools. (2,13,24,53)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Burma has ratified most 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 Burma’s legal framework to adequately protect children from the worst forms of child labor, including establishing a minimum age for work consistent with international standards and comprehensively identifying the types of hazardous work prohibited for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Section 75 of the Factories Act; Article 14 of the Shops and Establishments Law (54,55)
Minimum Age for Hazardous Work	No	16	Article 15(d) of the Shops and Establishments Law; Sections 25 and 29 of the Factories Act; Rule 146 of the 2018 Mining Rules; Section 65(a) of the Child Law (54-57)

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Sections 25 and 29 of the Factories Act; Article 15(d) of the Shops and Establishments Law (54,55)
Prohibition of Forced Labor	Yes		Sections 3 and 24 of the Anti-Trafficking in Persons Law; Sections 370–371 and 374 of the Penal Code; Section 27(a) of the Ward or Village Tracks Administrative Law (58-60)
Prohibition of Child Trafficking	No		Sections 3 and 24 of the Anti-Trafficking in Persons Law; Sections 372 and 366(a) of the Penal Code (58,59)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 372–373 of the Penal Code; Section 66(f) of the Child Law (56,59)
Prohibition of Using Children in Illicit Activities	No		Sections 20(a) and 22(c) of the Narcotics and Psychotropic Substances Law; Sections 65(b)–(c) and 66(c) of the Child Law (56,61)
Prohibition of Military Recruitment			
Minimum Age for Voluntary State Military Recruitment	Yes	18	The 1974 Regulation for Persons Subject to the Defense Service Act (War Office Council Instruction 13/73) (62)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No	10‡	Section 20(b)(i) of the Child Law; Section 4(j) of the National Education Law (56,63)
Free Public Education	Yes		Section 20(a)(ii) of the Child Law; Section 4(j) of the National Education Law (56,63)

* No conscription (64)

‡ Age calculated based on available information (56,65)

If passed, the Child Rights Law would extend hazardous protections for children up to age 18; however, it remained under discussion in the Parliament in 2018. (2) In May 2018, a draft hazardous work list was approved following a national consultation. However, the list has not been published and will not have the force of law until the Child Rights Law is approved. (66)

In certain sectors, age 14 has been established as the minimum age for work; however, there is no minimum age for work for all sectors in which children are employed, including agriculture and informal work. Some sector-specific laws identify activities that are prohibited for children under age 18. (55,57) The general minimum age of 16 for hazardous work, established in the Child Law, is also not in compliance with international standards. (56)

The legal framework does not sufficiently prohibit commercial sexual exploitation of children, as there are no criminal prohibitions of the procurement and offering of children for the production of pornography or for pornographic performances, and Burma's Anti-Trafficking in Persons Law requires a demonstration of force, fraud, or coercion to constitute a child trafficking offense. (56,58,59) In addition, the legal framework does not sufficiently prohibit the use of children in illicit activities, as the use of children ages 16 and 17 for the production and trafficking of drugs is not criminally prohibited. (56,61) The legal framework also does not prohibit non-state armed groups from recruiting children for use in armed conflict. (67)

Children in Burma are required to attend school only up to age 10. This standard leaves children ages 10 through 13 vulnerable to child labor since they are not required to attend school but are not legally permitted to work. (56,65)

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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 operations of the law enforcement agencies that may hinder adequate child labor enforcement.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Immigration, and Population's (MOLIP) Factories and General Labor Laws Inspection Department (FGLLID)	Inspects factories, shops, and establishments for child labor law violations. (54,55)
Myanmar Police Force's Anti-Trafficking in Persons Division (ATIPD)	Investigates trafficking in persons crimes and engages in human trafficking prevention efforts through its 32 regional Anti-Trafficking Task Forces. Oversees Child Protection. Operates Task Force units in Rangoon, Mandalay, and Naypyidaw. (68)
Ministry of Defense's Committee for the Prevention of Military Recruitment of Underage Children	Sanctions perpetrators that recruit or use children in the armed forces. (69)
Department of Social Welfare, Relief, and Resettlement	Investigates cases in which children need protection. (56) Provides social services for children rescued from human trafficking and those affected by conflict in Rakhine, Shan, and Kachin states. (68)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Burma took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor, Immigration, and Population that may hinder adequate child labor law enforcement, including the lack of publicly available enforcement information and an inadequate number of labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown (2)
Number of Labor Inspectors	170 (70)	163 (71)
Inspectorate Authorized to Assess Penalties	Yes (24)	Yes (24)
Initial Training for New Labor Inspectors	Yes (24)	Yes (2)
Training on New Laws Related to Child Labor	Yes (24)	N/A
Refresher Courses Provided	Yes (24)	Yes (71)
Number of Labor Inspections Conducted	Unknown (72)	45,641 (71)
Number Conducted at Worksite	Unknown (72)	Unknown
Number of Child Labor Violations Found	0 (24)	6 (71)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	Unknown (71)
Number of Child Labor Penalties Imposed that Were Collected	N/A	Unknown
Routine Inspections Conducted	Yes (24)	Yes (71)
Routine Inspections Targeted	No (24)	Yes (71)
Unannounced Inspections Permitted	Yes (24)	Yes (2)
Unannounced Inspections Conducted	Unknown	Yes (2)
Complaint Mechanism Exists	Yes (24)	Yes (24)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (24)	No (2)

The number of labor inspectors is likely insufficient for the size of Burma's workforce, which includes approximately 22 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Burma would employ about 558 inspectors. (64,73,74)

Burma

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2018, the Lower House of Burma’s Parliament approved the new Occupational Safety and Health Bill, which expands the legal jurisdiction of the labor inspectorate to include additional industries, including agriculture and construction. In March 2019, the bill was adopted by the Upper House and signed into law by the President. (66,75,76)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Burma took actions to combat the worst forms of child labor (Table 7). However, gaps exist within the Burmese military’s practices that may hinder adequate criminal law enforcement, including the lack of publicly available data on enforcement efforts.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown (2)
Refresher Courses Provided	Unknown	Unknown (2)
Number of Investigations	Unknown	Unknown (2)
Number of Violations Found	Unknown	Unknown (2)
Number of Prosecutions Initiated	Unknown	Unknown (2)
Number of Convictions	Unknown	Unknown (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (70)	Yes (70)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (77)	Unknown (2)

As of September 2018, the government released 75 children and young people who had been recruited into the military. (78) While the government continued training its personnel on age verification at recruitment centers, the military’s oversight and monitoring of recruitment procedures were still insufficient to fully prevent the recruitment of children. (1,68) The penalties imposed for recruiting and using child soldiers are not commensurate with the seriousness of these crimes. (1,33) In past years, most of these cases reportedly culminated in reprimands, demotions, relocations, fines, or decreases in pensions, penalties significantly less than those prescribed by criminal law. (79)

During the reporting period, the government sentenced a man to 20 years for forcing a child to work on a chicken farm without pay and prosecuted 3 cases involving child trafficking. The Myanmar Police Force’s Anti-Trafficking in Persons Division (ATIPD) also rescued 31 child trafficking victims. (68) In addition, the ATIPD increased its staff, bringing the total number of officers to 490, and conducted awareness-raising programs in IDP camps in Rakhine and Kachin states, where children and adults are particularly vulnerable to human trafficking. (68)

The Department of Social Welfare, Relief, and Resettlement continued to lack sufficient staff and resources to provide adequate services for victims. However, in 2018, it did establish a Department of Rehabilitation to coordinate rehabilitation services for human trafficking victims. (68)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
UN Country Task Force on Monitoring and Reporting (CTFMR) on Grave Violations Against Children	Coordinates with the government to end and prevent the recruitment and use of children in Burma’s armed forces. (78) Co-chaired by the UN and UNICEF, members include Save the Children, World Vision, and relevant UN agencies, such as the ILO. Mandated by UN Security Council Resolution 1612 in response to children in Burma being subjected to grave violations, including the recruitment and use of children as soldiers. (78)

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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

Coordinating Body	Role & Description
Technical Working Group on Child Labor	Coordinates the implementation of ILO Convention 182, including drafting the list of hazardous work prohibited for children, developing a national plan of action against child labor, and establishing a mechanism for identifying, monitoring, and referring child labor cases. Chaired by MOLIP, consists of stakeholders from eight government ministries, employers, and civil society organizations. (80,81) The group held quarterly plenary sessions during the reporting period. (82)
Myanmar National Committee on Child Labour Eradication*	Oversees the implementation of the Myanmar Child Labour Eradication Project, which was approved by the committee in December 2018. (2,24,83) Chaired by the Vice President and consists of 13 government ministries, including MOLIP, chief ministers of 10 states, mayors of Rangoon and Mandalay, and employer and civil society organizations. (83) Officially launched on February 5, 2018. (84)
Central Body for the Suppression of Trafficking in Persons	Coordinates efforts to address trafficking in persons. Chaired by the Minister of Home Affairs and includes six government agencies and several non-governmental stakeholders. (69) In 2018, organized anti-trafficking in persons awareness-raising activities, which included participatory events, distribution of informational pamphlets, and placement of billboards and posters in areas with high risk of recruitment. (68)
Township Committees of the Rights of the Child	Coordinates local child welfare and protection activities. Led by the Township Administrator and consists of government agencies, including the Department of Social Welfare, police, and NGOs. (2,56) As of 2018, established in 318 of 330 townships in Burma. (85)

*Mechanism to coordinate efforts to address child labor was created during the reporting period.

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 the adoption of policies that address all relevant worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Joint Action Plan with the UN to Prevent the Recruitment and Use of Children for Military Purposes	Aims to end all government recruitment and use of children in its armed forces. Seeks to ensure the release of children under age 18 from the armed forces and facilitate their reintegration into families and communities through the CTFMR. Resulted in the release of 924 children and young people since the start of the policy in 2012, including the release of 75 children and young people in 2018. (78)
Myanmar Child Labour Eradication Project†	Establishes a national plan of action to eliminate child labor, including hazardous child labor. (2)
Myanmar Sustainable Development Plan (2018–2030)†	Sets out a strategy to expand the social safety net and social protection services, including the introduction of measures to keep children enrolled in schools and out of child labor. (86)
Myanmar Decent Work Country Programme (2018–2021)†	Seeks to strengthen protections against child labor and forced labor by building on existing ILO-programs in Burma and continuing engagement between the ILO and the government. (87)

† Policy was approved during the reporting period.

During the July 2018 session of the Union Peace Conference between the government, national armed forces, and non-state armed groups, the parties committed to eliminating the six grave violations against children, including the recruitment and use of children as soldiers, in accordance with UNCRC. (78,88)

Although the government has adopted a policy to end the military's recruitment and use of child soldiers and hazardous child labor, research found no evidence of a policy on other worst forms of child labor, including forced child labor or commercial sexual exploitation of children.

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 all worst forms of child labor.

Burma

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 10. Key Social Programs to Address Child Labor

Program	Description
Forced Labor Complaint Mechanism	Joint government-ILO program that gives citizens a mechanism to lodge complaints of forced labor and seek remedies from the government. (89) On January 22, 2018, the ILO and the Government of Burma signed an extension to the Supplementary Understanding on Complaints Mechanism, which was in effect until December 31, 2018. (66) During the reporting period, 115 cases of child soldiers were received through the complaint mechanism; most of the complaints reported were from people who are no longer children. (90) In addition, 42 cases were referred to CTFMR in 2018. (66)
Hotlines	UNICEF and World Vision-operated hotlines for reporting suspected cases of child recruitment or use by Burma's military. (91) In 2018, 44 tips were received and 5 cases of child soldier recruitment were confirmed, resulting in the release of the victims. (90)
Myanmar Programme on the Elimination of Child Labour (My-PEC) Project (2014–2019)	\$6.25 million, USDOL-funded project implemented by the ILO to expand the knowledge base on child labor in Burma, increase awareness and knowledge of child labor, improve laws to meet international standards, and build the capacity of stakeholders to address child labor. (82,92) In 2018, trained 78 social partners to advocate against child labor; published and provided training materials on child labor to labor inspectors, members of parliament, employer organizations, workers organizations, and civil society organizations; provided education services to 359 children, livelihood services and skills training to 196 households, and occupational safety and health training to 156 employers and local authorities. (66,84) Additional information is available on the USDOL website.
SafeYouth@Work Project: Building a Generation of Safe and Healthy Workers (2014–2019)	USDOL-funded global project implemented by the ILO, with Burma as one of the three pilot countries. In Burma, focused on young workers ages 15 to 24 in the construction and agricultural sectors. Sought to improve availability and use of occupational safety and health (OSH) data, improve regulations and programs on OSH, build the capacity of the government and social partners to promote and enforce compliance with OSH laws and regulations, and increase youth knowledge and awareness of hazards and risks. (93) In 2018, participated in the development of Burma's first OSH questionnaire to be included in the Labor Force Survey that will be administered to over 15,000 households by MOLIP. Assisted in the development of the data collector's manual and provided training for data collectors. (94) Additional information is available on the USDOL website.

Overall, the government lacks sufficient social programs to adequately address the worst forms of child labor, including the recruitment of children by state and non-state armed forces, forced child labor, and the commercial sexual exploitation of children.

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 Burma (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict.	2016 – 2018
	Establish a minimum age of at least 14 years for work for all sectors.	2016 – 2018
	Establish a minimum age of 18 for hazardous work.	2017 – 2018
	Ensure that the types of hazardous work prohibited for children are comprehensive by including all sectors and activities in which children engage in hazardous work.	2016 – 2018
	Prohibit all forms of child commercial sexual exploitation, including procuring and offering of children for the production of pornography or pornographic performances.	2016 – 2018
	Ensure that the law does not require a demonstration of force, fraud, or coercion to constitute a child trafficking offense.	2017 – 2018
	Criminally prohibit the use of children in the production and trafficking of drugs.	2016 – 2018
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Ensure that the age up to which education is compulsory is the same as the minimum age for work, as established by international standards.	2016 – 2018
Enforcement	Ensure that conditions are safe in Rakhine State for the voluntary return of Rohingya refugees, including children in Bangladesh.	2018
	Publish information related to labor law enforcement, including the amount of funding for the labor inspectorate, the number of inspections conducted at worksites, the number of penalties issued for child labor violations, and the number of penalties collected for child labor violations.	2016 – 2018

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Establish a referral mechanism between the labor inspectorate and social services.	2016 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2018
	Publish data on training for investigators and the number of investigations, prosecutions, and convictions for violations related to the worst forms of child labor.	2016 – 2018
	Cease the military's continued use of children in its armed forces, including for forced labor in conflict areas.	2016 – 2018
	Improve military oversight and monitoring of recruitment procedures to prevent the recruitment of children.	2017 – 2018
	Ensure that the penalties for the recruitment and use of children in the military are appropriate for the seriousness of the crime.	2017 – 2018
	Ensure that the Department of Social Welfare, Relief, and Resettlement has sufficient resources to provide services to victims of the worst forms of child labor.	2016 – 2018
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as armed conflict by state and non-state armed groups, hazardous work, forced child labor, and commercial sexual exploitation.	2016 – 2018
Social Programs	Remove all restrictions on Rohingya access to education, including school segregation, travel restrictions, and barriers to enroll in school.	2017 – 2018
	Develop and implement education programs that reduce physical barriers for children who live long distances from schools and eliminate prohibitive expenses for attending school.	2016 – 2018
	Develop and implement programs to address all worst forms of child labor, including the recruitment of children by state and non-state armed groups, forced child labor, and the commercial sexual exploitation of children.	2016 – 2018

REFERENCES

- U.S. Department of State. 2018 Trafficking in Persons Report: Burma. Washington DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/burma/>
- U.S. Embassy- Rangoon. Reporting. January 18, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO and Government of Burma. Report on Child Labour in Myanmar-2015. 2016. http://www.mol.gov.mm/en/wp-content/uploads/downloads/2017/03/MMR-CL-Child-labour-in-Myanmar-1B-edit-final-version_21.11.2.pdf.
- ILO. Agricultural Sub-sector Child Labor Survey: Children working in the cultivation and processing of Inland Fishing Stocks, Sugarcane, and Beans and Pulses in Myanmar. April 27, 2017. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=29335>.
- ILO. My-PEC Report: Opportunities to leverage income generation in marginalized villages: Labutta and Ye Townships. July 2016. Source on file.
- Karen Human Rights Group. Surviving in Shadow: Widespread Militarization and the Systematic Use of Forced Labour in the Campaign for Control of Thaton District. January 2006. <http://khrhg.org/sites/default/files/khrg0601.pdf>.
- ILO-IPEC. Project Updates: Myanmar Programme on the Elimination of Child Labour (My-PEC). November 2015-January 2016. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=28578>.
- Women and Child Rights Project. Children for Hire: A Portrait of Child Labor in Mon Areas. November 2013. <http://www.rehmonnya.org/reports/childrenforhire.pdf>.
- Zaw, Hnin Yadana, and Soe Zeya Tun. As economy booms, children toil in Myanmar. Reuters, April 19, 2016. <http://www.reuters.com/article/us-myanmar-children-labour-idUSKCN0XG01F>.
- International Committee of Free Trade Unions. Report for ILO Committee of Experts on the Application of Conventions and Recommendations: Burma: Forced Labour Convention, 1930 (No. 29). 2004. Source on file.
- ILO-IPEC. Knowledge, Attitudes and Practices (KAP) Study on Child Labour in Yangon, Ayeyarwady Region and Mon State. Geneva, 2015. http://themimu.info/sites/themimu.info/files/documents/Report_Knowledge_attitudes_and_practices_study_on_child_labour_in_Yangon_Ayeyarwady_Region_and_Mon_State_ILO_2015.pdf.
- ILO-IPEC. Rapid Assessment on Child Labour in Hlaing Thar Yar Industrial Zone in Yangon, Myanmar. Geneva, 2015. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=27439>.
- Butler, Sarah. H&M factories in Myanmar employed 14-year old workers. The Guardian, August 21, 2016. <https://www.theguardian.com/business/2016/aug/21/hm-factories-myanmar-employed-14-year-old-workers>.
- Action Labor Rights. Under Pressure: A Study of Labour Conditions in Garment Factories in Myanmar which are wholly Korean owned or in a Joint Venture with Korean Companies. March 2016. <http://www.cleanclothes.org/resources/national-cccs/under-pressure>.
- Theuws, Martje, and Pauline Overeem. The Myanmar Dilemma: Can the garment industry deliver decent jobs for workers in Myanmar? Centre for Research on Multinational Corporations. SOMO, February 2017. <https://www.somo.nl/the-myanmar-dilemma/>.
- BSR. Child Labor in Myanmar's Garment Sector: Challenges and Recommendations. May 2016. https://www.bsr.org/reports/BSR_Child_Labor_Myanmar_Garment_Sector_2016.pdf.
- Peel, Michael. Telenor uncovers child labour among Myanmar. Financial Times, August 19, 2014. <https://www.ft.com/content/9eac10b0-27a5-11e4-ae44-00144feabdc0>.
- Trautwein, Catherine. Telenor works to address its child labour troubles. May 22, 2015. <http://www.mmtimes.com/index.php/business/technology/14622-telenor-works-to-address-its-child-labour-troubles.html>.

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

- 20 DVBTv.To the end of the world Pt 1: Burma's child labourers. March 14, 2016.
<https://www.youtube.com/watch?v=d0IHtg2kUjw>.
- 21 Htwe, Zaw Zaw. Child workers, labour rights violations alleged at brickyard. Myanmar Times, December 16, 2016.
<http://www.mmtimes.com/index.php/national-news/24245-child-workers-labour-rights-violations-alleged-at-brickyard.html>.
- 22 Human Rights Watch. Burma's Gem Trade and Human Rights Abuses. July 29, 2008.
<https://www.hrw.org/print/234933>.
- 23 Myanmar Centre for Responsible Business. Children's Rights and Business in Myanmar. April 2017: Briefing Paper.
https://www.humanrights.dk/sites/humanrights.dk/files/media/dokumenter/udgivelses/hrd_2017/briefing-paper-childrens-rights-and-business-in-myanmar_003.pdf.
- 24 U.S. Embassy- Rangoon. Reporting. February 14, 2018.
- 25 Agence France Presse. Beaten and Burnt: Myanmar's invisible child servants. Manila Times, September 22, 2016.
<http://www.manilatimes.net/beatenandburntmyanmarsinvisiblechildservants/287246/>.
- 26 Aung, Ei Cherry. Isolated and lacking labor rights, Myanmar's housemaids toil in silence. Reuters, July 4, 2016.
<http://www.reuters.com/article/us-myanmar-rights-housemaids-idUSKCN0ZL005>.
- 27 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, adopted 2018 (No. 182) Myanmar (ratification: 2013). Accessed March 5, 2019.
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3956517
- 28 Telenor. Roundtable discussion on tackling child labor in Myanmar. July 13, 2016. Source on file.
- 29 Human Rights Now. Child Labour in the Myanmar Fishing Sector. October 2018.
http://hrn.or.jp/eng/wp-content/uploads/2018/10/HRN_Child_Labour_in_the_Myanmar_Fishing_Sector_2018.pdf.
- 30 UN. Reporting. New York, 2018. Source on file.
- 31 Earth Rights International. We are Not Free to Work for Ourselves. 2002. Source on file.
- 32 UN Security Council. Report of the Secretary-General on children and armed conflict in Myanmar. December 22, 2017: S/2017/1099.
http://www.un.org/ga/search/view_doc.asp?symbol=S/2017/1099&Lang=E&Area=UNDOC.
- 33 ILO Committee of Experts. Observation concerning Worst Forms of Child Labour Convention, adopted 2018 (No. 182) Myanmar (ratification: 2013). Accessed March 6, 2019.
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3956513
- 34 U.S. Department of State. 2019 Trafficking in Persons Report: Burma. Washington DC, June 20, 2019.
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/burma/>
- 35 IOM. IOM Bangladesh: Rohingya Refugee Crisis Response Situation Overview of Human Trafficking. October 2018.
https://www.iom.int/sites/default/files/situation_reports/file/bangladesh_sr_201810.pdf.
- 36 IOM. Thousands at Risk of Trafficking Amid Rohingya Refugee Crisis. July 31, 2018.
<https://www.iom.int/news/thousands-risk-trafficking-amid-rohingya-refugee-crisis-iom>.
- 37 UN Security Council. Report of the Secretary-General on children and armed conflict in Myanmar. October 29, 2018: S/2018/956.
<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N18/346/32/pdf/N1834632.pdf?OpenElement>.
- 38 UNICEF. Rohingya Crisis. August 23, 2018.
https://www.unicef.org/emergencies/bangladesh_100945.html.
- 39 BBC. The Rohingya children trafficked for sex. March 20, 2018.
<https://www.bbc.com/news/world-asia-43469043>.
- 40 U.S. Department of State. 2018 Trafficking in Persons Report: Bangladesh. Washington, DC, June 28, 2018.
<https://www.state.gov/reports/2018-trafficking-in-persons-report/bangladesh/>
- 41 Doherty, Ben. Displaced Rohingya Children Left in Limbo by Refugee Crisis. January 31, 2018.
<https://www.theguardian.com/world/2018/feb/01/devoid-of-hope-displaced-rohingya-children-are-vulnerable-to-trafficking-and-radicalisation>.
- 42 Yu, Sylvia. Trafficking Crisis Looms For Rohingya Refugees In Bangladesh. National Observer, December 1, 2017.
<https://www.nationalobserver.com/2017/12/01/news/trafficking-crisis-looms-rohingya-refugees-bangladesh>.
- 43 Phyu, Ei Shwe. Over 100,000 students still missing school in Rakhine. Myanmar Times, January 16, 2018.
<https://www.mmtimes.com/news/over-100000-students-still-missing-school-rakhine.html>.
- 44 Amnesty International. "Caged without a roof": Apartheid in Myanmar's Rakhine State. 2017.
<https://www.amnesty.org/download/Documents/ASA1674842017ENGLISH.PDF>.
- 45 UNICEF. Lives on Hold: Making sure no child is left behind in Myanmar. May 2017.
https://www.unicef.org/publications/files/UNICEF_Lives_on_Hold_Myanmar.pdf.
- 46 Carroll, Joshua. Myanmar's Rohingya deprived of education. Al Jazeera, August 4, 2014.
<https://www.aljazeera.com/indepth/features/2014/08/myanmar-rohingya-deprived-education-201484105134827695.html>.
- 47 Nicosia, Sal. Exodus Worsens Education for Rohingya Children. VOA News, October 2, 2017.
<https://www.voanews.com/a/rohingya-children-education-/4052917.html>.
- 48 Save the Children International and UNICEF. Child Protection Knowledge, Attitudes, and Practices Study. August 2014.
http://themimu.info/sites/themimu.info/files/documents/Report_CP_Knowledge_Attitude_Practice_Survey_Rakhine_2014.pdf.
- 49 UNHCR Myanmar. Study on Community Perceptions of Citizenship, Documentation and Rights in Rakhine State. August 2016.
http://themimu.info/sites/themimu.info/files/assessment_file_attachments/Community_Perceptions_FINAL.PDF.
- 50 Fortify Rights. Policies of Persecution: Ending Abusive State Policies Against Rohingya Muslims in Myanmar. February 2014.
http://www.fortifyrights.org/downloads/Policies_of_Persecution_Feb_25_Fortify_Rights.pdf.
- 51 Plan International Myanmar. Joint Education Sector Needs Assessment, North Rakhine State, Myanmar. November 2015.
http://www.reachresourcecentre.info/system/files/resource-documents/reach_report_rakhine_joint_education_needs_assessment_november_2015.pdf.
- 52 Kaufman, Katrina. Myanmar: Rohingya Children Losing Future Without Education. February 23, 2016.
<http://www.voanews.com/a/myanmar-rohingya-children-losing-future-without-education/3203595.html>.
- 53 Women and Child Rights Project, and Human Rights Foundation of Monland. Inaccessible and Under-Resourced: Concerns Over Education in Rural Mon Communities. June 2015.
<http://www.rehmonnya.org/reports/Final-Edition.pdf>.
- 54 Government of Burma. The Factories Act, Act 64 of 1951. Enacted: 1951; Amended: January 20, 2016.
http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/88477/123120/F1558150740/MMR88477_Eng_2016.pdf.
- 55 Government of Burma. The Shops and Establishments Law. Enacted: 2015.
http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/101962/123121/F1897640234/MMR101962_Eng.pdf.

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

- 56 Government of Burma. The Child Law, No. 9/93. Enacted: July 14, 1993. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/72890/74311/F1884014594/MMR72890.pdf>.
- 57 Myanmar Centre for Responsible Business. Main Laws Applicable to the Mining Sector in Myanmar. May 23, 2018. Source on file.
- 58 Government of Burma. The Anti Trafficking in Persons Law. Enacted: September 13, 2005. <http://un-act.org/publication/view/myanmars-anti-trafficking-in-persons-law-2005/>.
- 59 Government of Burma. Penal Code. Enacted: 1861. https://www.google.com/url?sa=t&rc=1&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKewj2_y16YLRahWBQyYKHx8xCIAQFggaMAA&url=http://www.burmalibrary.org/docs6/MYANMAR_PENAL_CODE-corr.1.pdf&usq=AFQjCNE5rfJ5a4oUShcco2axdT1OdJRhpg&sig2=SRsVA1IGQ.
- 60 Government of Burma. The Ward or Village Track Administration Law. Enacted: 2012. <http://www.myanmar-law-library.org/law-library/laws-and-regulations/laws/myanmar-laws-1988-until-now/union-solidarity-and-development-party-laws-2012-2016/myanmar-laws-2012/pyidaungsu-hluttaw-law-no-1-2012-ward-or-village-administration-law-burmese.html>.
- 61 Government of Burma. Narcotic Drugs and Psychotropic Substances Law. Enacted: January 25, 1993. <http://www.asianlii.org/mm/legis/laws/ndapsllaorcln193893/>.
- 62 U.S. Embassy- Rangoon official. Email communication to USDOL official. June 2, 2017.
- 63 Government of Burma. National Education Law, Law No. 41. Enacted: 2014. http://www.burmalibrary.org/docs20/2014-09-30-National_Education_Law-41-en.pdf.
- 64 CIA. The World Factbook. Accessed January 19, 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 65 Government of Burma. Education System in Myanmar: Self-Evaluation and Future Plans. Ministry of Education, <http://www.myanmar-education.edu.mm/dhel/education-system-in-myanmar/education-structure/>.
- 66 ILO. Myanmar Programme on the Elimination of Child Labour (My-PEC) Project: Technical Progress Report. September 30, 2018. Source on file.
- 67 U.S. Embassy- Rangoon official. Email communication to USDOL official. February 24, 2017.
- 68 U.S. Embassy- Rangoon. Reporting. February 15, 2019.
- 69 U.S. Embassy- Rangoon. Reporting. February 13, 2017.
- 70 U.S. Embassy- Rangoon official. Email communication to USDOL official. June 5, 2019.
- 71 U.S. State Department official. Email communication to USDOL official. February 22, 2019.
- 72 U.S. Embassy- Rangoon. Email communication to USDOL official. February 23, 2018.
- 73 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 74 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy, November 2006. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 75 Government of Burma. Occupational Safety and Health Law (Draft). 2017. Source on file.
- 76 Chau, Thompson. New labour law paves way for worker safety standards. The Myanmar Times. March 25, 2019. <https://www.mmtimes.com/news/new-labour-law-paves-way-worker-safety-standards.html>
- 77 Child Protection Unit, and Yangon Police’s Anti-Trafficking Unit. Communication to USDOL Official. September 14, 2016.
- 78 UNICEF. Seventy-five children and young people released by the Myanmar Armed Forces. September 3, 2018. <https://www.unicef.org/eap/press-releases/seventy-five-children-and-young-people-released-myanmar-armed-forces>.
- 79 U.S. Embassy- Rangoon official. Email communication to USDOL official. May 31, 2018.
- 80 ILO-IPEC. Project Updates: Myanmar Programme on the Elimination of Child Labour (My-PEC). April 2014-June 2015. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=27055>.
- 81 ILO. Background Report for the National Action Plan on Child Labour in Myanmar: An overview of issues to be considered in the development of the NAP. April 27, 2017. http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_29337/lang--en/index.htm.
- 82 ILO. Myanmar Programme on the Elimination of Child Labour (My-PEC) Project. October 25, 2017: Technical Progress Report. Source on file.
- 83 U.S. Embassy- Rangoon. Email communication to USDOL official. June 1, 2018.
- 84 ILO. Myanmar Programme on the Elimination of Child Labour (My-PEC) Project: Technical Progress Report. March 31, 2018. Source on file.
- 85 ILO. Email communication with USDOL official. April 22, 2019
- 86 Government of Burma. Myanmar Sustainable Development Plan (2018–2030). http://themimu.info/sites/themimu.info/files/documents/Core_Doc_Myanmar_Sustainable_Development_Plan_2018_-_2030_Aug2018.pdf.
- 87 ILO. Decent Country Work Programme 2018–2021. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-yangon/documents/publication/wcms_645042.pdf.
- 88 Global New Light Of Myanmar. 14 points signed as Part II of Union Accord. July 17, 2018. <http://www.globalnewlightofmyanmar.com/14-points-signed-as-part-ii-of-union-accord/>.
- 89 ILO. Forced Labour Complaint Mechanism. Accessed February 9, 2017. <http://ilo.org/yangon/complaints/lang--en/index.htm>.
- 90 U.S. Embassy- Rangoon. Reporting. December 26, 2018.
- 91 UNICEF. Forty-six (46) children released by Myanmar army. Rangoon, March 12, 2016. https://www.unicef.org/myanmar/media_25304.html.
- 92 ILO. Myanmar Programme on the Elimination of Child Labour (My-PEC) Project. Accessed February 9, 2016. http://www.ilo.org/ipec/projects/global/WCMS_356062/lang--en/index.htm.
- 93 ILO. Safe Youth@Work Project: Building a Generation of Safe and Healthy Workers. Accessed February 9, 2017. http://www.ilo.org/safework/projects/WCMS_516592/lang--en/index.htm.
- 94 ILO. Safe Youth@Work Project: Building a Generation of Safe and Healthy Workers: Technical Progress Review. January 30, 2019. Source on file.

In 2018, Burundi made a minimal advancement in efforts to eliminate the worst forms of child labor. The government hired additional labor inspectors, more than doubling the number of those employed to enforce labor laws across the country. However, children in Burundi engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Burundi lacks a compulsory education age that is equal to the minimum age for work. The government's ability to address the worst forms of child labor was constrained by a lack of necessary resources to conduct labor inspections and criminal investigations, a lack of well-trained educators, materials, and infrastructure in the education sector, and insufficient social programs to address child labor in the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Burundi engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1-6) Table 1 provides key indicators on children's work and education in Burundi.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	27.2 (633,126)
Attending School (%)	5 to 14	60.9
Combining Work and School (%)	7 to 14	26.0
Primary Completion Rate (%)		70.4

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey, 2010–2011. (8)

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 tea, coffee, sugarcane, cotton, palm oil, peat, potatoes, and rice (1-3,9-11)
	Fishing, including preparing materials and equipment, managing heavy fishing nets, preparing meals for fishermen, loading and unloading materials from vessels, and cleaning the vessels (1-4,9-12)
	Herding and feeding livestock (2,4,10,11)
Industry	Extracting,† washing, and transporting minerals in mines and quarries, including artisanal gold mines (1,2,4,5,9,10,13)
	Making and transporting bricks (1,3,9,11)
	Construction, including transporting materials, welding, and installing electrical cables† (4)
Services	Domestic work (1,3-5,10,11)
	Street vending, including selling food, newspapers, cigarettes, and used clothes and shoes (2,4,5,10)
	Begging (5,11,14)
	Handling and transporting heavy loads† (4,5)
	Work as help in hotels and restaurants (2,4,11)

Burundi

MINIMAL ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,11,13,15)
	Domestic work as a result of human trafficking (11,15)
	Forced labor in agriculture, mining, charcoal production, construction, street vending, and begging, each sometimes as a result of human trafficking (2,11,15)

† 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.

Burundi is one of the poorest countries in the world, with more than 90 percent of its citizens engaged in subsistence agriculture, and approximately 80 percent of the workforce employed in the informal economy. (2,16,17) Burundian children are trafficked within the country, often from rural areas, for domestic work and commercial sexual exploitation. (6,15,16) Women who offer room and board to children sometimes force the children into commercial sexual exploitation to pay expenses. (15,18) Burundian girls are also trafficked internationally for commercial sexual exploitation in Kenya, the Middle East, Rwanda, and Uganda. (11,15,19) Evidence also suggests that children are trafficked to Tanzania for work in agriculture and domestic work. (2,11,15,17,20)

Although the government abolished school fees in 2012, the cost of books and uniforms has prevented many children from accessing free public schooling. A dearth of well-trained educators and poor infrastructure has also limited educational opportunity. Moreover, because birth certificates are required to attend school, many unregistered children, in particular children of the Batwa ethnic group, remain out of school and vulnerable to child labor. (2,10,16,21)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Burundi 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 Burundi’s legal framework to adequately protect children from the worst forms of child labor, including the lack of a compulsory education age through the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 3 of the Labor Code; Article 3 of the Ministerial Ordinance to Regulate Child Labor (22,23)
Minimum Age for Hazardous Work	Yes	18	Article 13 of the Ministerial Ordinance to Regulate Child Labor (23)

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

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 9–15 of the Ministerial Ordinance to Regulate Child Labor (23)
Prohibition of Forced Labor	Yes		Articles 4 and 10 of the Trafficking in Persons Law (24)
Prohibition of Child Trafficking	Yes		Articles 244–246 and 537 of the Penal Code; Articles 4-6 and 10 of the Trafficking in Persons Law (24,25)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 542–544 of the Penal Code; Article 10 of the Trafficking in Persons Law (24,25)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 6(c) of the National Defense Troops Law (26)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 200.2.27 and 200.5.7 of the Penal Code (25)
Compulsory Education Age	No	12	Legislation title unknown (10)
Free Public Education	Yes		Article 17 of the Law on Basic and Secondary Education (27)

* No conscription (26)

The Labor Code prohibits work by children under age 16 in public and private enterprises; however, the law's minimum age protections do not apply to children outside of formal employment relationships. (22,28,29) The Penal Code does not prohibit the use of children in the production and trafficking of narcotics. (25) Although the Constitution prohibits the use of children in armed conflict, the Penal Code criminalizes only the use of children under age 15 in armed conflict, leaving children between the ages of 15 and 18 vulnerable to the worst forms of child labor. (25,30) However, Burundian law does prohibit the recruitment of children under age 18 by the state armed forces, and available evidence indicates that the government continued to comply with this provision. (2,16,17)

In addition, the prohibitions against hazardous work are not comprehensive, including in agriculture, an area of work in which there is evidence of children working with dangerous machinery, equipment, and tools. (11,23) Education in Burundi is not compulsory through the minimum age for work, and research did not uncover a public version of the law establishing compulsory education. (10,31)

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 Public Service, Labor, and Social Security that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service, Labor, and Social Security	Administers and enforces all labor laws, including those on child labor, through the General Directorate of Labor and Professional Development. (32)
Ministry of Public Security	Conducts criminal investigations on the worst forms of child labor, including forced child labor, child trafficking, and the use of children in illicit activities. (1,3) Through the National Police's Brigade for Minors and Morals, protects children from commercial sexual exploitation, illicit activity, and military recruitment. (1,2,11,17)
Ministry of Justice	Prosecutes cases of the worst forms of child labor through its General Prosecutor's Office. (2,11,13)

Burundi

MINIMAL ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Ministry of National Solidarity, Human Rights, and Gender	Coordinates, monitors, and oversees children's advocacy and family service programs conducted by public and private organizations. Develops policies and national laws on the promotion and protection of children and families. (33) Refers cases to police officers and judicial officials for enforcement through its 89 Child Protection Committees at local levels; victims are referred to local NGOs for social services. (20,34)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Burundi took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Public Service, Labor, and Social Security 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	\$4,000 (11)	Unknown (2)
Number of Labor Inspectors	11 (11)	35 (2)
Inspectorate Authorized to Assess Penalties	Yes (11)	Yes (2)
Initial Training for New Labor Inspectors	No (11)	No (2)
Training on New Laws Related to Child Labor	N/A (11)	N/A (2)
Refresher Courses Provided	No (11)	No (2)
Number of Labor Inspections Conducted	390 (11)	216 (2)
Number Conducted at Worksite	130 (11)	Unknown (2)
Number of Child Labor Violations Found	0 (11)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (11)	N/A (2)
Number of Child Labor Penalties Imposed that Were Collected	N/A (11)	N/A (2)
Routine Inspections Conducted	Yes (35)	Yes (2)
Routine Inspections Targeted	No (11)	No (2)
Unannounced Inspections Permitted	Yes (11)	Yes (2)
Unannounced Inspections Conducted	No (11)	No (2)
Complaint Mechanism Exists	Yes (11)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (2)

The government increased the number of employed labor inspectors from 11 to 35 through the reassignment of other civil servants in the Ministry of Public Service, Labor, and Employment. (2) However, the number of labor inspectors is likely insufficient for the size of Burundi's workforce, which includes approximately 5 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Burundi would employ about 125 inspectors. (36,37) Research found that financial constraints hamper the General Directorate of Labor and Professional Development's enforcement of child labor laws, because annual funding does not cover fuel costs, per diem, or office supplies, and, furthermore, the labor inspectorate does not own any vehicles. (10,11,18,38) The government did not provide information on its labor inspectorate funding or the number of labor inspections conducted at worksites for inclusion in this report. (18)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Burundi 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 the lack of published information on the criminal enforcement of child labor law.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	No (11)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (11)	Unknown (2)
Refresher Courses Provided	Yes (11)	Unknown (2)
Number of Investigations	Unknown (35)	Unknown (2)
Number of Violations Found	Unknown (35)	Unknown (2)
Number of Prosecutions Initiated	0 (11)	Unknown (2)
Number of Convictions	0 (11)	Unknown (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (18)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (11)	Yes (2)

The Ministry of Public Security refers cases to the Ministry of National Solidarity, Human Rights and Gender, which then sends the child to one of four specialized centers in the country that takes care of the child's psychological, medical and legal needs or to civil society service providers. (2) In December 2018, the International Organization for Migration trained 25 judicial police officers on the international and national legal framework, the differences between human trafficking and smuggling, protection and assistance to victims (including children), procedures for interviewing victims and witnesses, the rights of suspects, and investigation techniques. Training remains reliant on international organizations and donor funding. (2,17,34)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report. (18)

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 may hinder the effective coordination of efforts to address child labor, including non-operational coordination mechanisms.

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

Coordinating Body	Role & Description
National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor	Coordinates efforts to combat the worst forms of child labor, including implementation of community development programs that address the education and socioeconomic reintegration of children engaged in or removed from the worst forms of child labor. (32,39) Includes nine ministries, including the Ministry of Labor, organizations and representatives from UNICEF, youth associations, and civil society organizations. (3) Research was unable to determine whether activities were undertaken during the reporting period.
Ad Hoc Committee for Consultation and Monitoring on the Prevention and Suppression of Trafficking in Persons	Oversees national anti-trafficking in persons efforts, including implementation of the National Action Plan for Combating Trafficking in Persons, with a more formal entity instead of the current ad hoc structure called for in legislation. (15,17,34,35,40) Includes officials from the Ministry of National Solidarity, Human Rights, and Gender, and the Ministries of Justice, Public Security, Foreign Affairs, and Interior. (3) In 2018, the ad hoc committee, in partnership with the International Organization for Migration, formalized the new National Action Plan for Trafficking in Persons. (34)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that may hinder efforts to address child labor, including inactive and expired policies.

Burundi

MINIMAL ADVANCEMENT

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for Combating Trafficking in Persons (2019–2020) †	Aims to significantly reduce human trafficking in Burundi by 2020 through the adoption of political, social, economic, and institutional measures. Identifies women and children as being the most vulnerable to human trafficking, noting sectors of high prevalence and human trafficker profiles. (34,41)

† 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. (42,43)

The government has not taken steps to renew the expired National Revised Action Plan for the Fight Against the Worst Forms of Child Labor during the reporting period. (2)

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 in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Centers for Family Development†	Ministry of National Solidarity, Human Rights, and Gender-operated centers that address human rights issues, including child exploitation, and reintegrate victims in their home communities. Coordinate with Child Protection Committees to refer victims to local NGOs for care, when necessary. (20) In 2018, research was unable to determine whether activities were undertaken.
“Back to School” Campaign†	UNICEF and the Ministry of Education “Back to School” campaign to promote equitable access and retention in school for 2.6 million basic education students, half of them girls. (44) In 2018, project efforts focused on strengthening capacity of community agents in mobilization, analyzing the causes of school dropout, and creating community structures, such as clubs, mentorships, and networks, to ensure re-enrollment in school. (34)

† Program is funded by the Government of Burundi.

Research found no evidence that the government has carried out programs to assist children working in agriculture or victims of commercial sexual exploitation. Further, the scope of existing programs is insufficient to fully address the extent of the child labor problem.

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 Burundi (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Criminally prohibit the use of children in illicit activities, particularly in the production and trafficking of drugs.	2015 – 2018
	Establish by law a compulsory education age equal to the minimum age for work.	2009 – 2018
	Ensure that all children are protected by law, including children working outside of formal employment relationships.	2015 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2012 – 2018
	Ensure that all children are protected from hazardous work activities, including in agriculture, that have hazardous conditions and in which child labor is known to occur.	2016 – 2018
	Publish the law establishing compulsory education for review.	2017 – 2018
Enforcement	Increase the number of labor inspectors to meet the ILO’s technical advice, and provide sufficient training and resources to all inspectors to ensure that labor inspections, including unannounced and routine targeted inspections, are conducted nationwide.	2009 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on the budget of the labor inspectorate and the number of labor inspections conducted at work sites, training for criminal enforcement investigators, and the number of investigations, violations, prosecutions, convictions, and imposed penalties related to the criminal enforcement of child labor laws.	2017 – 2018
Coordination	Ensure that the National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor is operational and make efforts to combat and prevent child labor.	2015 – 2018
Government Policies	Take steps to renew the expired National Revised Action Plan for the Fight Against the Worst Forms of Child Labor.	2015 – 2018
Social Programs	Increase access to education by eliminating school-related costs for books and uniforms, increasing the number of well-trained educators, expanding the infrastructure, and increasing birth registration rates.	2015 – 2018
	Institute and expand existing programs to address child labor, including in agriculture and commercial sexual exploitation.	2009 – 2018
	Undertake activities in support of the Centers for Family Development.	2016 – 2018

REFERENCES

- U.S. Embassy- Bujumbura. Reporting. January 16, 2014.
- U.S. Embassy- Bujumbura. Reporting. February 7, 2019.
- U.S. Embassy- Bujumbura. Reporting. January 15, 2015.
- ILO. Rapport de l'étude de cartographie sur les zones d'occurrence des pires formes de travail au Burundi. June 2013. Source on file.
- Commission Nationale Indépendante des Droits de l'Homme (CNIDH). Etude sur l'exploitation et le trafic des enfants au Burundi. 2014. Source on file.
- The Guardian. Burundi's child sex slaves: "I feel like I have been used and tossed away". October 9, 2014. <http://www.theguardian.com/global-development/2014/feb/20/burundi-child-sex-slaves-prostitution>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey, 2010-2011. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Bujumbura. Reporting. November 12, 2015.
- U.S. Embassy- Bujumbura. Reporting. February 3, 2017.
- U.S. Embassy- Bujumbura. Reporting. January 18, 2018.
- Nininahazwe, Bella Lucia. Children Under 15 Recruited to Cook for Fishermen in Rumonge. November 2, 2017. <http://www.iwacu-burundi.org/englishnews/children-under-15-recruited-to-cook-for-fishermen-in-rumonge/>.
- U.S. Embassy- Bujumbura. Reporting. February 23, 2015.
- Batha, Emma. Former Burundi street child helps heal civil war divisions. Thomson Reuters Foundation. March 20, 2017. <https://www.reuters.com/article/us-burundi-conflict-streetchildren/former-burundi-street-child-helps-heal-civil-war-divisions-idUSKBN16R0NN>.
- U.S. Department of State. Trafficking in Persons Report- 2018: Burundi. Washington, DC. 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/burundi/>.
- U.S. Embassy- Bujumbura official. Email communication with USDOL official. April 30, 2018.
- U.S. Embassy- Bujumbura. Reporting. February 28, 2019.
- U.S. Embassy- Bujumbura official. Email communication to USDOL official. June 13, 2019.
- Uwimana, Diane. Police intercept 13 people "victims of human trafficking." November 8, 2017. <http://www.iwacu-burundi.org/englishnews/police-intercept-13-people-victims-of-human-trafficking/>.
- U.S. Embassy- Bujumbura official. Email communication to USDOL official. March 25, 2016.
- Hatcher, Jessica. Burundi instability adds to risks for children surviving on the streets. November 24, 2015. <http://www.theguardian.com/global-development/2015/nov/24/burundi-instability-children-surviving-streets-violence-bujumbura-unicef-crisis>.
- Government of Burundi. Décret loi n° 1/037 du 7 juillet 1993 portant révision du Code du travail. Enacted: 1993. http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_126614.pdf.
- Government of Burundi. Ordonnance ministerial n° 630/1 du 5 janvier 1981 portant réglementation du travail des enfants. Enacted: 1981. Source on file.
- Government of Burundi. Portant prévention et répression de la traite des personnes et protection des victimes de la traite, Law No. 1/28. Enacted: 2014. Source on file.
- Government of Burundi. Loi n° 1/27 du 29 décembre 2017 portant Révision du Code Pénal. Enacted: 2017. Source on file.
- Government of Burundi. Portant statut des hommes de troupe de la force de défense nationale, Law No. 1/17. Enacted: 2006. Source on file.
- Government of Burundi. Portant organisation de l'enseignement de base et secondaire, Law No. 1/19. Enacted: 2013. Source on file.
- ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Burundi (ratification: 2000) Published: 2015. Accessed November 20, 2015. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3185684:NO.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Burundi (ratification: 2002) Published: 2015. Accessed November 20, 2015. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3185768:NO.
- Government of Burundi. Constitution interimaire post-transition de la République du Burundi. Enacted: 2005. Source on file.

Burundi

MINIMAL ADVANCEMENT

- 31 ILO. Report of the Committee of Experts on the Application of Conventions and Recommendations. February 8, 2019. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_670146.pdf.
- 32 U.S. Embassy- Bujumbura. Reporting. February 7, 2013.
- 33 U.S. Embassy- Bujumbura official. Email communication to USDOL official. April 21, 2015.
- 34 U.S. Embassy- Bujumbura official. Email communication with USDOL official. March 1, 2019.
- 35 U.S. Embassy- Bujumbura official. Email communication to USDOL official. February 14, 2018.
- 36 CIA. The World Factbook. Accessed February 28, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2095rank.html>.
- 37 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 38 U.S. Embassy- Bujumbura. Reporting. January 25, 2016.
- 39 Government of Burundi. Plan D'Action National Revise De Lutte Contre Les Pires Formes De Travail De L'Enfant Au Burundi, 2014-2016. January 2014. Source on file.
- 40 Government of Burundi. Plan d'action national de la lutte contre la traite des personnes au Burundi 2014-2017. 2014. Source on file.
- 41 Government of Burundi. Plan d'Activités Intégré portant sur la Traite des Personnes 2019/2020. December 26, 2018. Source on file.
- 42 U.S. Embassy- Bujumbura official. Email communication to USDOL official. February 24, 2017.
- 43 Government of Burundi, and Ministry of National Solidarity, Human Rights, and Gender. Stratégie Nationale de Prévention et de Lutte Contre le Phénomène des Enfants en Situation de Rue au Burundi. October 2013. Source on file.
- 44 UNICEF. Burundi Humanitarian Situation Report. November 30, 2016. http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF_Burundi_Humanitarian_SitRep_-_30_November_2016.pdf.

In 2018, Cabo Verde made a moderate advancement in efforts to eliminate the worst forms of child labor. The government approved and published its first National Action Plan to Combat Trafficking in Persons and revised the Education Law to extend free tuition up to the eighth grade. In July, the national government established the Observatory for Monitoring and Rapid Identification of Situations of Trafficking in Persons, a major coordinating body created to respond to all human trafficking situations around the archipelago, which convened twice during the year. However, children in Cabo Verde engage in the worst forms of child labor in commercial sexual exploitation. Children also perform dangerous tasks in agriculture. Law enforcement officials lack the necessary resources to follow up on investigations, and communication between enforcement agencies is limited. In addition, social programs to assist children involved in agriculture and domestic work are not sufficient to address the scope of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Cabo Verde engage in the worst forms of child labor in commercial sexual exploitation. Children also perform dangerous tasks in agriculture. (1,2) Table 1 provides key indicators on children's work and education in Cabo Verde.

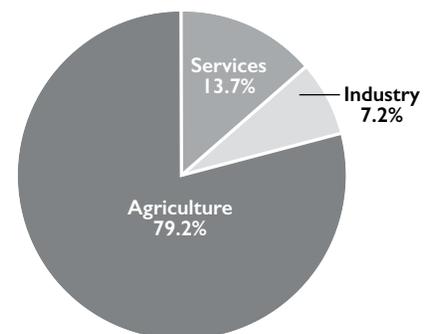
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	3.2 (2,392)
Attending School (%)	5 to 14	90.1
Combining Work and School (%)	10 to 14	1.7
Primary Completion Rate (%)		80.8

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (3)

Source for all other data: International Labor Organization's analysis of statistics from *Inquérito as Despesas e Receitas Familiares, 2001–2002*. (4)

Figure 1. Working Children by Sector, Ages 10-14



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	Farming, including carrying heavy loads† (2,5,6)
	Raising livestock (2)
	Artisanal fishing in small boats† (2)
Industry	Construction, including extracting sand (7,8)
Services	Domestic work (1,2,5,6)
	Street work, including vending, garbage scavenging,† car washing, and begging (1,2,5,6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,6,9,10)
	Use in illicit activities, including drug trafficking (2)

† 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.

Cabo Verde

MODERATE ADVANCEMENT

Limited research found that commercial sexual exploitation of both boys and girls, including in the tourism industry, occurs on the islands of Brava, Santiago, Fogo, Sal, and Boa Vista. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Cabo Verde 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's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 261 of the Labor Code (11)
Minimum Age for Hazardous Work	Yes	18	Article 264 of the Labor Code; Article 133 of the Civil Code (11,13)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		National List of Dangerous Work for Children (14)
Prohibition of Forced Labor	Yes		Article 14 of Chapter 3 of the Labor Code; Articles 149, 271, and 271-A of the Penal Code (11,15)
Prohibition of Child Trafficking	Yes		Articles 149 and 271-A of the Penal Code (15)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 144–145, 148–150, and 271-A of the Penal Code (15)
Prohibition of Using Children in Illicit Activities	Yes		Article 8 of the Drug Trafficking Law (16)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 31 of the Military Service Law (17)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the Military Service Law (17)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 268-C of the Penal Code (15)
Compulsory Education Age	Yes	15‡	Articles 13 and 20 of the Education Law (18)
Free Public Education	Yes		Article 14 of the Education Law (18)

‡ Age calculated based on available information (18)

The Civil Code includes a list of light work activities that children age 14 are allowed to perform; however, the law does not prescribe the number of hours per week permissible for light work or specify the conditions under which light work may be performed. (13,19)

During the reporting period, the government extended free tuition from sixth grade up to eighth grade by revising the Education Law. (2,20)

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 Inspector General for Labor (IGT) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Inspector General for Labor	Monitors and enforces child labor laws, working closely with the Cabo Verdean Institute for Children and Adolescents (ICCA). (21,22)
Judicial Police and National Police	Judicial Police conducts criminal investigations; National Police makes arrests related to the worst forms of child labor, including human trafficking. (22,23)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Cabo Verde took actions to combat child labor (Table 6). However, gaps exist within the operations of the IGT that may hinder adequate labor law enforcement, including financial and human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$26,100 (24)	\$26,000 (2)
Number of Labor Inspectors	14 (25)	14 (2)
Inspectorate Authorized to Assess Penalties	Yes (24)	Yes (2)
Initial Training for New Labor Inspectors	N/A	N/A
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (24)	Yes (2)
Number of Labor Inspections Conducted	1,470 (24)	1,131 (2)
Number Conducted at Worksite	771 (24)	1,131 (2)
Number of Child Labor Violations Found	3 (24)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	0 (24)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	N/A	Unknown
Routine Inspections Conducted	Yes (24)	Yes (2)
Routine Inspections Targeted	Yes (24)	Yes (2)
Unannounced Inspections Permitted	Yes (25)	Yes (2)
Unannounced Inspections Conducted	Yes (24)	Yes (2)
Complaint Mechanism Exists	Yes (25)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (25)	Yes (2)

Although the total number of child labor violations is unknown for the reporting period, the Cabo Verdean Institute for Children and Adolescents (ICCA) reported 10 cases of child labor violations in 2018. (2,26)

The IGT conducted labor inspections in the formal sector throughout the country and received several trainings during the year, including on child labor; however, reports indicate that inspectors lack the necessary resources to perform inspections in sectors in which child labor is known to occur, including the informal sector. (2)

When IGT inspectors find a case of child labor, they inform the ICCA for referral to social services providers. (27)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Cabo Verde 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 allocating human resources.

MODERATE ADVANCEMENT

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	N/A	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (2)
Refresher Courses Provided	Yes (24)	Yes (2)
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	0 (24)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (24)	Yes (2)

During 2018, UNODC led two training workshops on human trafficking for various law enforcement and government personnel, including representatives of civil society organizations from all over the country. The trainings prioritized the investigation and prosecution of cases, and the protection and assistance of victims. An annual work plan was developed to incorporate objectives of the National Plan of Action to Combat Trafficking in Persons. (28) Law enforcement officials attended and participated in several other human trafficking trainings, including a training at the West Africa Regional Training Center in Ghana. (29)

Although the government did not provide specific data on child trafficking, reports indicate that the Judicial Police investigated a labor trafficking case involving two Chinese minors, ages 16 and 17, on the island of Sal. Three suspects were detained, a Cabo Verdean female and two Asian males, in connection to the case; as of the end of the reporting period, the case was still pending in Cabo Verdean courts. (2,30) In February 2018, convictions were secured for the first cybercrime case prosecuted in the country known as the *quadrilha*, which involved four defendants, two men and two women, who targeted and coerced 13 victims online and forced them into prostitution, including a 13-year-old girl. (31,32) The sentences given to the two male defendants were the highest given in Cabo Verdean courts; however, in April 2019, the sentences were reduced. (32,33)

Reports indicate that the Judicial Police and the National Police lack the necessary financial and human resources to follow up on investigations, including cases of child labor. The Judicial Police is present on only three of the islands, hindering its ability to address all child labor investigations. (2,34) Furthermore, the government did not maintain comprehensive anti-trafficking law enforcement and victim protection data among its criminal enforcement agencies, and awareness-raising efforts on human trafficking, including child sex tourism, remained insufficient on some islands. (35) Although law enforcement agencies work well together, information sharing and confirmation of case status is extremely limited. (2)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
National Committee for Child Labor Prevention and Eradication in Cabo Verde	Coordinates the execution of the National Action Plan for the Prevention and Eradication of Child Labor and provides a functional mechanism for reciprocal referrals between law enforcement and social services. Led by ICCA. (23,36) It is unknown whether this committee was active in 2018. (2)
ICCA	Coordinates and monitors the implementation of all national programs and activities to prevent and combat child labor. (25) In 2018, worked with UNICEF on a draft law addressing the sexual exploitation of children and on a child protection policy that will be aligned with the UN CRC objectives. (29) In addition, established a hotline for sexual abuse and exploitation cases of children during the reporting period. (29) The hotline received 1,182 reports, including 24 child labor-related cases. (37)

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

Coordinating Body	Role & Description
Children and Adolescent Committee to Prevent and Combat Sexual Abuse and Exploitation	Contributes to the prevention and elimination of child sexual exploitation by coordinating the activities of member organizations and public and private services. (23) Supervises, monitors, and evaluates the National Plan to Combat Violence Against Children and Adolescents. (2) Led by ICCA. (38) Research was unable to determine whether any activities were undertaken by this committee in 2018.
Observatory for Monitoring and Rapid Identification of Situations of Trafficking in Persons	Coordinates and monitors all efforts to combat human trafficking. Comprises law enforcement, NGOs, civil society and various government agencies. (2,39) Led by the Ministry of Justice and Labor. Met twice in 2018. (29)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Prevention and Eradication of Child Labor	Prioritizes the eradication of child labor. Outlines specific objectives, including data collection, institutional capacity building, and enhancement of measures to prevent, protect, and remove children from involvement in child labor. (36) During the reporting period, ICCA implemented the Plan. (40)
National Plan to Combat Sexual Violence Against Children and Adolescents (2017–2019)	Aims to prevent and combat the sexual exploitation of children. The plan incorporates five principle themes: participation of children and adolescents; prevention of situations of vulnerability; mobilizing material and social resources; treatment for both victims and perpetrators; and accountability. (2,41) In February 2018, the first evaluation of the situation in the country was conducted. Results indicated a need for a more comprehensive approach to the treatment of child victims and their families. (42)
Code of Ethics Against the Sexual Exploitation of Children	Guides and governs agencies involved in the tourism sector to combat the sexual exploitation of children and adolescents. (43) Remained in force during the reporting period. (29)
National Action Plan to Combat Trafficking in Persons (2018–2021)†	Prioritizes five strategic areas: prevention, awareness, protection, investigation, and coordination. (44) Establishes the Trafficking in Persons Observatory, a coordination mechanism dedicated to monitoring responses to all human trafficking situations around the country. (2,39)

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Labor Awareness Campaigns†	Government program implemented by ICCA and the National Committee for Child Labor Prevention and Eradication that conducts national awareness campaigns on the worst forms of child labor. (45) In 2018, ICCA continued to work with the government on a project to remove children from street vending on Santiago Island and combat child labor in the rural parts of the island. ICCA also began a second project to combat school dropout rates by raising awareness of the importance of education by addressing parents, children, and educators. (5,46)
Help for At-Risk Children†	ICCA-implemented program that provides education, health services, and professional training to vulnerable children and their families. Eight day centers for street children vulnerable to sexual and labor exploitation operate on Boa Vista, Fogo, Sal, Santiago, Santo Antão, and São Vicente islands. (45) Active in 2018. (2)
Child Emergency Centers and Social Protection and Reintegration Centers†	ICCA-implemented program that operates emergency centers for child victims of abuse and sexual exploitation on Santiago, Santo Antão, and São Vicente islands. (23,36,45) The government also operates five social protection and reintegration centers that provide support and educational integration services to children who have experienced long-term trauma. (1,23,27) Active in 2018. (2)
Government Efforts to Increase Access to Education†	Donor-funded programs implemented by the government that ensure access to education for disadvantaged children by paying for school fees, materials, and meals. (47) Active in 2018. (31)

† Program is funded by the Government of Cabo Verde.

Cabo Verde

MODERATE ADVANCEMENT

Research found that programs to assist children involved in agriculture and domestic work are not sufficient to address the scope of the problem.

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 Cabo Verde (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Prescribe the number of hours per week and conditions under which light work may be undertaken.	2015 – 2018
Enforcement	Ensure that the Inspector General for Labor receives sufficient resources to enforce child labor laws on all islands, including in the informal sector.	2014 – 2018
	Ensure the National Police and Judicial Police have sufficient financial and human resources to follow up on child labor cases, and that all inhabited islands benefit from the presence of the Judicial Police.	2018
	Ensure information sharing between law enforcement agencies for better coordination of active child labor cases.	2018
	Develop a system to compile and share comprehensive anti-trafficking law enforcement and victim identification data among agencies.	2018
	Conduct awareness raising activities on human trafficking, including child sex tourism, on all islands.	2018
	Make law enforcement data publicly available, including information on the number of child labor violations found, penalties imposed and collected, criminal investigations conducted, convictions secured, and whether penalties were imposed for violations related to the worst forms of child labor.	2011 – 2018
Coordination	Ensure the National Committee for Child Labor Prevention and Eradication in Cabo Verde is active and able to carry out its intended mandate.	2018
	Ensure the Children and Adolescent Committee to Prevent and Combat Sexual Abuse and Exploitation is active and able to carry out its intended mandate.	2018
Social Programs	Institute programs to address child labor in agriculture and domestic work.	2010 – 2018

REFERENCES

- U.S. Department of State. Trafficking in Persons Report-2018: Cabo Verde. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/cabo-verde/>.
- U.S. Embassy- Praia. Reporting. January 23, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Inquérito as Despesas e Receitas Familiares, 2001-2002. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Agência Cabo Verdiana de Notícias. Situação do trabalho infantil em Santiago Norte continua “preocupante” – delegado do ICCA. Inforpress. June 12, 2018. <https://www.inforpress.publ.cv/situacao-do-trabalho-infantil-em-santiago-norte-continua-preocupante-delegado-do-icca/>.
- Pina, Constância. PR chama “níveis pouco razoáveis” abuso e exploração sexual menores. Mindel Insite. June 1, 2018. <https://mindelinsite.cv/pr-chama-atencao-niveis-pouco-razoaveis-abuso-exploracao-sexual-menores/>.
- U.S. Embassy- Praia. Reporting. October 31, 2017.
- Government of Cabo Verde official. Email communication to USDOL official. March 13, 2015.
- U.S. Embassy- Praia. Reporting. November 25, 2015.
- U.S. Embassy- Praia. Reporting. November 4, 2016.
- Government of Cabo Verde. Código Laboral Cabo-Verdiano, Lei n.º 5/2007. Enacted: October 16, 2007. Source on file.
- Government of Cabo Verde. Lei n.º 50/VIII/2013, Estatuto da Criança e do Adolescente - ECA. ICCA, Ministério da Juventude, Emprego e Desenvolvimento dos Recursos Humanos. December 26, 2013. <https://abortion-policies.srhr.org/documents/countries/10-Cape-Verde-Statute-on-Children-and-Adolescents-2013.pdf>.
- Government of Cabo Verde. Código Civil, Portaria n.º 68-A/97. Enacted: September 30, 1997. [http://www.africanchildforum.org/clr/Legislation Per Country/cape verde/capeverde_civilcode_1997_pr.pdf](http://www.africanchildforum.org/clr/Legislation%20Per%20Country/cape-verde/capeverde_civilcode_1997_pr.pdf).
- Government of Cabo Verde. Lei n.º 113/VIII/2016, de 10 de março, que aprova a Lista Nacional do Trabalho Infantil Perigoso (TIP) e regula a sua aplicação. Enacted: March 10, 2016. [http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/I101425/122193/F1140011145/LEY113_CABO VERDE.pdf](http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/I101425/122193/F1140011145/LEY113_CABO%20VERDE.pdf).
- Government of Cabo Verde. Código Penal, Decreto-legislativo n.º 4/2015. Enacted: November 11, 2015. Source on file.
- Government of Cabo Verde. Lei n.º 78/IV/93. Enacted: July 12, 1993. Source on file.
- Government of Cabo Verde. Lei do Serviço Militar, Decreto-Legislativo n.º 6/93. Enacted: May 24, 1993. <http://www.defesa.gov.cv/index.php/biblioteca/g-legislacao?id=126&hpMyAdmin=digZAi3C2LAmDu31OihYcPda5>.

- 18 Government of Cabo Verde. Bases do Sistema Educativo, Decreto-Legislativo n° 2/2010. Enacted: May 7, 2010. Source on file.
- 19 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Cabo Verde (Ratification: 2011) Published: 2018. Accessed: June 2018. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3339528:YES.
- 20 Government of Cabo Verde. Bases do Sistema Educativo, Decreto-Legislativo n° 13/2018. December 7, 2018. Source on file.
- 21 U.S. Embassy-Praia. Reporting. January 17, 2014.
- 22 U.S. Embassy-Praia. Reporting. February 13, 2015.
- 23 Government of Cabo Verde. Informações solicitadas pelo Departamento do Trabalho do EUA Sobre o Trabalho Infantil. 2014. Source on file.
- 24 U.S. Embassy Praia official. Email communication to USDOL official. February 22, 2018.
- 25 U.S. Embassy- Praia. Reporting. February 6, 2018.
- 26 U.S. Embassy Praia official. Email communication to USDOL official. April 10, 2019.
- 27 U.S. Embassy-Praia. Reporting. January 19, 2016.
- 28 UNODC. UNODC supports the efforts of Cabo Verde to combat human trafficking. July 26, 2018. <http://www.unodc.org/westandcentralafrica/en/2018-07-26---unodc-supports-the-efforts-of-cabo-verde-to-combat-human-trafficking.html>.
- 29 U.S. Embassy- Praia. Reporting. February 14, 2019.
- 30 Mindel Insite. PJ detém dois asiáticos e uma cabo-verdiana por tráfico de pessoas e trabalho forçado. October 29, 2018. <https://mindelinsite.cv/20463-2/>.
- 31 U.S. Embassy Praia official. Email communication to USDOL official. April 26, 2019.
- 32 A Nação. Predadores sexuais via Facebook: Pena dura para irmãos Alves. February 25, 2018. <https://anacao.cv/predadores-sexuais-via-facebook-pena-dura-irmaos-alves/>.
- 33 da Moura, Bruno. Tribunal da Relação reduz pena aos irmãos Alves acusados de Cibercrime. April 9, 2019. <https://dtudo1pouco.com/tribunal-da-relacao-reduz-pena-aos-irmaos-alves-acusados-de-cibercrime/>.
- 34 U.S. Embassy- Praia. Reporting. January 12, 2017.
- 35 U.S. Department of State. Trafficking in Persons Report- 2019: Cabo Verde. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/cabo-verde/>.
- 36 Government of Cabo Verde. Plano de Acção de Prevenção e Erradicação do Trabalho Infantil-PANPETI, Resolução n° 43/2014, do B.O.I Série, n° 36. Enacted: June 2, 2014. Source on file.
- 37 U.S. Embassy Praia official. Email communication to USDOL official. June 8, 2019.
- 38 U.S. Embassy Praia official. Email communication to USDOL official. March 10, 2017.
- 39 Pinto Machado, Isabel. Cabo Verde tem Plano contra Tráfico de Seres Humanos. As Vozes do Mundo. July 30, 2018. <http://pt.rfi.fr/cabo-verde/20180730-cabo-verde-cria-observatorio-de-monitorizacao-e-identificacao-rapida-de-situacao>.
- 40 U.S. Embassy Praia official. Email communication to USDOL official. July 18, 2019.
- 41 Instituto Cabo-Verdiano da Criança e do Adolescente. Plano Nacional de Combate à Violência Sexual Contra Crianças e Adolescentes 2017-2019. December 2016. Source on file.
- 42 Diário de Notícias. Crimes de abuso sexual de menores continuam a aumentar em Cabo Verde. February 22, 2018. <https://www.dn.pt/lusa/interior/crimes-de-abuso-sexual-de-menores-continua-a-aumentar-em-cabo-verde-9137148.html>.
- 43 Government of Cabo Verde. Código de Conduta Ética do Turismo Contra a Exploração Sexual da Criança e do Adolescente. Enacted: April 2, 2014. Source on file.
- 44 Government of Cabo Verde. I PLANO NACIONAL CONTRA A O TRÁFICO DE SERES HUMANOS 2018-2021. January 2018. Source on file.
- 45 U.S. Embassy Praia official. Email communication to USDOL official. May 10, 2016.
- 46 dos Santos, Carla. Crianças vão deixar de vender fruta nas estradas de Santiago. October 17, 2017. <https://santiagomagazine.cv/index.php/sociedade/620-criancas-vaodeixar-de-vender-fruta-nas-estradas-de-santiago>.
- 47 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Cabo Verde (Ratification: 2001) Published: 2015. Accessed: November 9, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3185771:NO.

In 2018, Cambodia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government issued a Royal Decree authorizing the National Committee on Child Labor, within the Cambodian National Council for Children, to begin operations. In addition, the labor inspectorate revamped its factory inspection questionnaire to align with the ILO Better Factories Cambodia questionnaire. Moreover, the government institutionalized a counter trafficking in persons training curriculum for the Cambodian National Police Academy. However, children in Cambodia engage in the worst forms of child labor, including in forced labor in brickmaking, as well as in commercial sexual exploitation, sometimes as a result of human trafficking. Due to challenges in accessing basic education and the absence of a compulsory education requirement, children are vulnerable to involvement in the worst forms of child labor. Insufficient resources also may hamper the labor inspectorate’s capacity to enforce child labor laws, especially in rural areas where the majority of child laborers work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Cambodia engage in the worst forms of child labor, including in forced labor in brickmaking, as well as in commercial sexual exploitation, sometimes as a result of human trafficking. (1-3) Table 1 provides key indicators on children’s work and education in Cambodia.

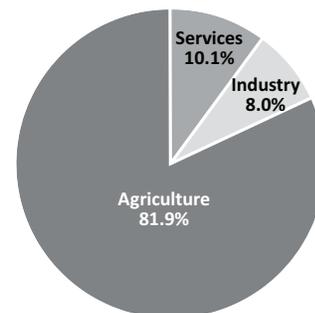
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	8.1 (236,831)
Attending School (%)	5 to 14	81.6
Combining Work and School (%)	7 to 14	6.1
Primary Completion Rate (%)		89.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (4)

Source for all other data: International Labor Organization’s analysis of statistics from Socio-Economic Survey (CSES), 2014. (5)

Figure 1. Working Children by Sector, Ages 5-14



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	Fishing, including deep-sea† and night fishing† (6-11)
	Peeling shrimp and shucking crabs (10,12)
	Production of tobacco, cassava, rubber, and rice (7,11,13)
	Growing, cutting, tying, carrying, and spraying pesticides† on sugarcane (11,14-16)
	Logging† for the production of timber (8,11)
	Making bricks,† including feeding clay into brickmaking machines, removing wood fuel from trucks and feeding to brickmaking machines, drying bricks, transporting bricks to the oven,† and loading bricks onto and off of trucks (1,6,8,13,17-20)
	Production of salt (13)

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Construction,† including operating transportation equipment† (6,8,11,21)
	Production of textiles, including bleaching,† dyeing,† and finishing with chemicals;† garments; and footwear (6,22-25)
	Production of alcoholic beverages† (6,8)
	Work in slaughterhouses† for the production of meat† (6,8)
	Manufacturing of wood and metal† products (6,13)
Services	Domestic work (6,9)
	Work as security guards† and in entertainment,† including as bartenders,† masseurs,† dancers,† and waiters† (6)
	Street work, including begging, vending, scavenging, collecting garbage, and exploited in orphanages to solicit funds from tourists (9,11,13,21,26,27)
	Work as garbage pickers in dumpsites (11,28)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (9,13,29)
	Street vending, sometimes as a result of human trafficking (8,9,26,30)
	Use in illicit activities, including drug trafficking (21)
	Forced labor in the production of bricks (1,21,31)

† 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.

Children are trafficked domestically, from rural to urban areas, and internationally, to countries such as Thailand and Vietnam, for commercial sexual exploitation. (3,9,24)

In Cambodian brick factories, some children engage in forced labor, including in dangerous conditions, to offset family debt to employers. (3,11,13,31,32) The rapid growth in the construction industry, particularly in Phnom Penh, has increased the demand for bricks, fueling child labor and debt bondage. (3,32,33) Compounded by failed harvests resulting from droughts, farmers who are in debt sell their debt to brick kiln owners, placing their families into situations of hereditary debt bondage until the debts are repaid. (3,31-33)

A worrying trend is the emergence of online sexual exploitation of children (OSEC) within Cambodia. (11) An NGO-funded survey indicated that, although in nascent stages, the issue of OSEC in Cambodia is increasing. (11)

Although the Education Law establishes free basic education, children may be required to pay school-related fees, such as for building maintenance, which are prohibitive for some families. (13,21,35,36) Other barriers to education include limited transportation to schools in remote areas, lack of drinking water and toilet facilities in some schools, language barriers, and an insufficient number of teachers. These barriers particularly affect ethnic minority children and children with disabilities. (8,13,37)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Cambodia 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	✓

Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Cambodia's legal framework to adequately protect children from the worst forms of child labor, including a minimum age for work and prohibiting the commercial sexual exploitation of children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 177 of the Labor Law (38)
Minimum Age for Hazardous Work	Yes	18	Articles 173 and 177 of the Labor Law; Regulation on the Prohibition of Hazardous Child Labor; Articles 339–340 of the Penal Code (38-40)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 2 of the Regulation on the Prohibition of Hazardous Child Labor (39)
Prohibition of Forced Labor	Yes		Articles 15–16 of the Labor Law; Articles 10, 12, 15–17, and 19 of the Law on Suppression of Human Trafficking and Sexual Exploitation; Article 80 of Law on Juvenile Justice (38,41,42)
Prohibition of Child Trafficking	Yes		Articles 10, 12, 15–17, and 19 of the Law on Suppression of Human Trafficking and Sexual Exploitation (41)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 15, 28, 33–37, and 41 of the Law on Suppression of Human Trafficking and Sexual Exploitation; Articles 284, 289, and 346 of the Penal Code (40,41)
Prohibition of Using Children in Illicit Activities	Yes		Article 345 of the Penal Code; Articles 3 and 47 of the Law on Control of Drugs (40,43)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 42 of the Law on General Statutes for the Military Personnel of the Royal Cambodian Armed Forces (44)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		The Law on General Statutes for the Military Personnel of the Royal Cambodian Armed Forces (44)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No		
Free Public Education	Yes		Article 31 of the Education Law (36)

In May 2018, the MOLVT issued a regulation that provided clear definitions of household work and set the minimum age for household work to 18. However, the regulation does not specify rights for household workers who are employed by their relatives. (11,45)

Although the Labor Code prohibits work by children under age 15, the law does not apply to children outside of formal employment relationships, which does not conform to international standards that require all children be protected under the law establishing a minimum age for work. (39) While MOLVT's regulation on household work extended minimum age protections to domestic workers, children participating in other forms of work outside of formal employment relationships are still not protected under existing minimum age laws. (37,38,46-48) Suggested amendments to the Labor Law would ensure that the application of the minimum age for admission to all types of work outside of an employment relationship, including self-employment is enforced; however, the Government of Cambodia has put on hold any drafting of amendments to the Labor Law until 2020. (20)

The government plans to research the impact of applying minimum working age requirements to the informal

Cambodia

MODERATE ADVANCEMENT

sector. (48)

Laws do not sufficiently prohibit commercial sexual exploitation of children, as the use or offering of a child for pornographic performances is not criminally prohibited. In addition, laws do not prohibit the recruitment of children under age 18 into non-state armed groups. (21,40)

Education is free, but not compulsory, through grade nine. (36,48) The lack of compulsory schooling makes children under age 15 particularly vulnerable to child labor because they are not required to be in school but are not yet legally permitted to work. (36,38,48) Additionally, research has shown that children living in provinces bordering Thailand are at a higher risk of dropping out of school, in large part due to poverty and parents migrating to Thailand for work, leaving children at home and requiring them to drop out of school to find work. 49)

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 authority of the MOLVT that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
National Committee on Countering Child Labor (NCCCL), Ministry of Labor and Vocational Training (MOLVT)	Enforces child-related provisions of the Labor Law, and trains Commune Committees for Women and Children that oversee local child labor monitoring systems. (50) Includes 24 MOLVT interdepartmental inspection teams. (51) The NCCCL is not dependent on MOLVT for funds. (11) This agency was active during the reporting period. (20)
Cambodian National Police Anti-Human Trafficking and Juvenile Protection Department, Ministry of the Interior	Enforces laws against human trafficking and commercial sexual exploitation of children, in collaboration with municipal and provincial anti-human trafficking and juvenile protection offices. Commanded by the Ministry of the Interior. (21,52) Fields complaints about human trafficking, which can be filed through the anti-human trafficking hotline. (29) This agency was active during the reporting period. (20)
Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY)	Refers victims of child labor to NGOs for services. Operates the Poipet Transit Center to identify children at risk of being trafficked or children who have been trafficked. (3) This agency was active during the reporting period. (20)

During the reporting period, the Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) promulgated guidelines on “Minimum Standards on Residential Care for Victims of Human Trafficking and Sexual Exploitation,” and distributed them to shelters and other relevant stakeholders. These guidelines served to address the management of residential care facilities, as well as the care given for victims of human trafficking and sexual exploitation. (3)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Cambodia took actions to combat child labor (Table 6). However, gaps exist within the authority of the MOLVT that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$100,000 (8)	\$100,000 (11)
Number of Labor Inspectors	520 (8)	615 (11)
Inspectorate Authorized to Assess Penalties	Yes (8)	Yes (11)
Initial Training for New Labor Inspectors	Yes (8)	Yes (11)
Training on New Laws Related to Child Labor	N/A (8)	Yes (11)
Refresher Courses Provided	Yes (8)	Yes (11)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Number of Labor Inspections Conducted	3,563 (8)	8,167 (11)
Number Conducted at Worksite	3,563 (8)	8,167 (11)
Number of Child Labor Violations Found	240 (8)	Unknown (11)
Number of Child Labor Violations for Which Penalties Were Imposed	42 (8)	10 (11)
Number of Child Labor Penalties Imposed that Were Collected	34 (8)	10 (11)
Routine Inspections Conducted	Yes (8)	Yes (11)
Routine Inspections Targeted	Yes (8)	Yes (11)
Unannounced Inspections Permitted	Yes (8)	Yes (11)
Unannounced Inspections Conducted	Yes (8)	Yes (11)
Complaint Mechanism Exists	Yes (8)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (11)

MOLVT has initiated meetings with the ILO to draft a Work Plan for Strategic Inspection Compliance, which will set standards for conducting labor inspections in the sectors of greatest need, including construction and entertainment. (11) The National Committee on Countering Child Labor (NCCL) employs 1 child labor inspector in each of Cambodia's 25 provinces. (11,53) When child labor inspections occur, they are concentrated in the city of Phnom Penh, as well as in the provincial, formal-sector factories producing goods for export, such as textiles and garments, rather than in rural areas where the majority of child laborers work. (6,11,22,54) In addition, the NCCL reported that the labor inspectorate does not conduct inspections in hospitality or nightlife establishments after business hours, because the inspectorate lacks funds to pay inspectors for overtime. (11) Enforcement related to child labor abuses in domestic work is conducted by the Sub-National Committee of Women and Children, not labor inspectors. (11)

Although unannounced inspections are permitted, they rarely happen in practice; however, when they do, anecdotal evidence suggest that most occur on cassava farms. (11) The government, ILO, and NGOs all agree that the labor inspectorate is insufficiently funded, affecting its ability to conduct inspections outside of Phnom Penh. Labor inspectors are in need of more technical training. (11)

In 2018, the NCCL let child labor violators off with just a warning, and did not assess penalties for the offenders. Children discovered in these situations were removed and referred to MOSAVY for assessment. (11,51,54) The NCCL claims that it will begin fining violators of child labor laws in 2019. (11)

In 2018, the NCCL claimed that all labor inspectors received training on child labor laws, with on-the-job training offered to inspectors throughout the year. The NCCL has also indicated that it would like to develop its capacity to conduct inspections at construction sites, where child labor is prevalent, and this will require the cooperation of the Ministry of Land Management. (11) During the reporting period, the MOLVT provided 6 labor inspection-related trainings for 635 inspectors. In addition, NCCL officials and inspectors attended 33 workshops on the legal framework related to the elimination of the worst forms of child labor. (11)

During the reporting period, the labor inspectorate revised its questionnaire for factory inspections to align with the ILO-Better Factories Cambodia questionnaire. This was done as a long-term aspiration to make the labor inspectorate the primary inspection institution, with the ILO-Better Factories Cambodia working to assist and audit the inspectorate's performance. (11,20)

The MOLVT has established regulations on hazardous work for children in several sectors, including in agriculture, brickmaking, fishing, tobacco, and cassava production; however, insufficient training of labor inspectors

Cambodia

MODERATE ADVANCEMENT

and corruption within law enforcement limits the capacity of local authorities to adequately enforce these regulations. (8,31,50,55,56) In 2018, the NCCL removed 400 children from plantations. (11) All children removed during labor inspections were referred to MOSAVY for social services, including 119 alleged child labor victims deported from Thailand and Vietnam back to Cambodia. (11,20) Sanctions for labor violations, including those related to child labor, are rarely imposed in accordance with the law. (11,51,54)

The government did not provide information on its labor law enforcement efforts in regards to the number of child labor violations found.

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Cambodia took actions to combat child labor (Table 7). However, gaps exist within the operations of the Ministry of Justice that may hinder adequate criminal law enforcement, including the lack of information regarding enforcement actions.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (8)	Yes (11)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	Yes (11)
Refresher Courses Provided	Yes (8)	Yes (11)
Number of Investigations	Unknown (8)	Unknown (20)
Number of Violations Found	46 (8)	39 (11)
Number of Prosecutions Initiated	Unknown (8)	Unknown (11)
Number of Convictions	Unknown (8)	Unknown (11)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (20)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (11)

MOSAVY organized 2 workshops on responding to trafficking in persons (TIP) victim needs, with 148 officials from government and NGO entities. In collaboration with NGOs and IOM, MOSAVY also conducted 7 trainings in 6 provinces on guidelines and procedures for TIP victim identification, attended by 358 officials. (11) In 2018, with the assistance of a USAID-funded Counter Trafficking in Persons (CTIP) program, the government institutionalized CTIP training into the curriculum of the Cambodian National Police Academy, which included helping authorities identify human trafficking victims and treat them respectfully while collecting evidence. (11,57) Also with assistance from USAID, the NCCL is working to establish a national database for TIP identification and referral for services. (11,20)

The Ministry of Justice does not provide disaggregated data on crimes or child labor violations. (11) In Cambodia, judges have discretion to determine whether perpetrators of crimes related to child labor will be imprisoned or fined, as well as the amount of the fine. The penalties imposed are not uniformly administered and do not adhere to the parameters prescribed by law. (3,37,58)

The government did not provide information on its criminal law enforcement efforts, including the number of investigations conducted, the number of prosecutions initiated, the number of convictions, and the number of penalties imposed for violations related to the worst forms of child labor.

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 the efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
National Committee on Child Labor of the Cambodian National Council for Children (NCCL)	Coordinates child labor issues at the national level. Ensures that projects and programs follow the National Plan of Action on Child Labor. (8) Includes concerned ministries, businesses, trade unions, and NGOs. Oversees Provincial Committees on the Protection of Child Rights and Provincial Committees on Child Labor. (8,59) Coordinates all government ministries, institutions, international non-governmental organizations, development partners, and the community in promoting and protecting children's rights. In 2018, worked to strengthen legal protections under the National Plan of Action. (20)
Commune Committees for Women and Children	Advisory entities that raise awareness of child labor regulations, promote school attendance, collaborate with provincial labor departments to monitor for child labor violations, and refer children at risk of or engaged in child labor to social protection services. Led by the MOLVT's Department of Child Labor. (21,50,60) This body was active during the reporting period. (20)
National Committee for Counter Trafficking (NCCT)	Coordinates government, NGOs, civil society, and private sector efforts to address human trafficking and sexual exploitation. (57,61) Focuses on children's affairs, international cooperation, justice, law enforcement, migration, prevention, protection, recovery, reintegration, and repatriation. (61) Chaired by the Deputy Prime Minister and the Ministry of Interior, with 4 vice chair ministries and 14 participating ministries. Oversees Provincial Committees for Combating Trafficking in Persons in each province. (3,53,61) During the reporting period, signed an action plan with China, signed a memorandum of understanding with India, attended a Working Conference of the Six Countries' Joint Action Against Human Trafficking in China, and convened the National Anti-Human Trafficking Day to raise public awareness. (3) In addition, conducted inspections that resulted in the removal of 240 children from brick kilns, and suspended operations at 3 kilns. (11)

The government issued a Royal Decree authorizing the National Committee on Child Labor, of the Cambodian National Council for Children, to begin operations and effectively function as a coordinating mechanism. (20) In addition, the Commune Committees for Women and Children are underfunded and have insufficient technical capacity to provide social protection services to children involved in or at risk of child labor. (60)

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 integrating child labor elimination and protection strategies into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan of Action on Worst Forms of Child Labor (2016–2025)	Aims to build the capacity of law enforcement officers, strengthen the enforcement of relevant laws, raise public awareness of child labor issues, and enhance child labor monitoring systems at the community level. (21) This policy was active during the reporting period. (11)
Action Plan to Prevent and Respond to Violence Against Children (2017–2021)	Aims to prevent and respond to violence against children, including the worst forms of child labor. (62) During the reporting period, UNICEF and Save the Children conducted positive parenting trainings in 14 provinces, and launched a national social behavior change campaign to address child protection. (11)
National Policies on the Elimination of Child Labor in the Fisheries Sector	Two policies address child labor in the fisheries sector: the National Plan of Action to Tackle Child Labor in Inland and Coastal Fisheries; and the Action Plan for Gender Equality Promotion and Child Labor Elimination in the Fisheries Sector. Seek to prevent and withdraw children from child labor and promote increased access to education and livelihood opportunities. (63) During the reporting period, held 6 workshops in 3 provinces on “gender equality and elimination of child labor in fisheries,” with 218 community members in attendance. (11)
Policy on Childhood Development and Protection in the Agricultural Sector (2016–2020)	Establishes a strategic framework to protect children working in the agricultural sector. Seeks to prevent and reduce child labor, especially in hazardous work, and improve agricultural vocational training for youth ages 15 through 17. (7) During the reporting period, the government conducted workshops and trainings for over 440 agricultural officials in 10 provinces. (11,20)

Cambodia

MODERATE ADVANCEMENT

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
National Plan of Action on the Suppression of Human Trafficking, Smuggling, Labor, and Sexual Exploitation (2014–2018)	Aims to prevent and eliminate all forms of human trafficking, including by strengthening criminal law enforcement to protect children from exploitation in entertainment venues, integrating anti-human trafficking and child safety issues into the public school curriculum, and promoting the inclusion of vulnerable children in both formal and informal education. (61) Coordinated by the NCCT, with input from Ministries of Justice; Women's Affairs; Foreign Affairs; Labor; and Social Affairs, Veterans, and Youth Rehabilitation. (11) During the reporting period, prosecuted 421 trafficking cases and the Ministry of Foreign Affairs and International Cooperation repatriated and provided limited services to 8,489 Cambodians from 6 countries. The government continued to carry out awareness-raising activities, including through more than 33,000 NCCT information "dissemination events" and 25,000 public fora. (20) The General Department of Immigration issued 92,081 border passes to Cambodians living in western border regions to encourage safe labor migration to Thailand. (20)
The Education Strategic Plan (2014–2018)	Sought to ensure equitable access to education and improve the education system's response to human trafficking and child labor. (64) During the reporting period, the Ministry of Education, Youth, and Sports conducted teacher trainings and implemented improvements to early-grade reading curricula in 14 provinces. (11,20)
National Social Protection Strategy (NSPS) (2017–2021)	Aims to expand access to healthcare, nutrition, and educational services and to promote the elimination of the worst forms of child labor. (65,66) Expanded the number of employers making use of the National Social Security Foundation. (20) During the reporting period, the government worked with development partners to expand the ID Poor Program, which will enable a provision of public benefits for those in extreme poverty, thus children vulnerable to child labor. (11)
National Plan of Action on the Reduction of Child Labor and Elimination of the Worst Forms of Child Labor (2016–2025)	Overseen by MOSAVY. Creates a roadmap to the complete eradication of the worst forms of child labor by 2025 in various sectors, including service, agriculture, mining, and energy. (20,48,67) Conducts awareness raising activities, legal action, and collaborations with civil society actors. (20) This plan of action was active during the reporting period. (20)
National Action Plan on the Elimination of Child Labor in Fisheries	Overseen by the Ministry of Agriculture, Forestry, and Fisheries under the Fisheries Administration of Cambodia (FiA). Aligned with the Strategic Framework for Fisheries (2010–2019). (48,67) This national action plan was active during the reporting period. (20)
Action Plan for Gender Equality Promotion and Child Labor Elimination in the Fisheries Sector (2016–2020)	Overseen by the Ministry of Agriculture, Forestry and Fisheries under FiA. Aligned with the Strategic Framework for Fisheries (2010–2019). Seeks to prevent and withdraw children from child labor and hazardous work in the fisheries sector. (48) This action plan was active during the reporting period. (20)
Capacity Development Plan for Family Support, Foster Care, and Adoption‡	Overseen by MOSAVY. Improves services for children without parental care, vulnerable to child labor, and ensures that children can still live in a family setting. (11) Maintains a comprehensive database of all children living in residential and foster care. Funded by USAID through UNICEF. (11) In 2018, completed a desk review on clinical supervision and provided ongoing training with First Step Cambodia, Hagar, Angkor Hospital for Children, and This Life Cambodia. The aim of this training was to induct individuals into the role of clinical supervision in social work practice in Cambodia. (20) In addition, provided training on clinical supervision to 17 social worker professionals in 5 Family Care First partner organizations in Siem Reap and Phnom Penh. Provided continuous training for social work supervision to 25 people from the same organizations. (20) Worked with other partners to develop the guidelines on kinship care, foster care and domestic adoption for MOSVY. (20)
Strategic and Operational Plan for the Implementation of Juvenile Justice Law (2018–2020)†	Overseen by MOSAVY, funded by UNICEF. Seeks to build a sustainable juvenile justice system, and to provide effective protection and support to incarcerated juveniles who are vulnerable to child labor. (11) In 2018, met with relevant social partners and held consultations to prepare for the 3-year plan. (20)

† 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. (68-71)

The government has not specifically included child labor elimination and prevention strategies in the National Employment Policy and the Multilingual Education National Action Plan. (72,73)

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 adequacy of programs to address the full scope of the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Cambodia Countering Trafficking in Persons (2015–2019)	\$8.5 million, USAID-funded, 4-year program implemented by Winrock International to strengthen the capacity of government and community stakeholders to prevent human trafficking, protect at-risk populations, and increase the number of successful prosecutions of perpetrators. (74,75) In 2018, made revisions to improve the National Plan of Action on the Suppression of Human Trafficking, Smuggling, Labor, and Sexual Exploitation. Distributed 75,666 public awareness materials on safe migration and human trafficking, including leaflets, videos, posters, and information cards. (20) Assisted approximately 180 trafficking victims and 160 abused migrants. (20)
Better Factories Cambodia†	USDOL, the Government of Cambodia, Garment Manufacturers in Cambodia, and ILO-funded program to monitor garment factories' compliance with national and international labor standards, including those related to child labor. (8,76) Additional information is available on the program's website. In 2018, reported a minimal number of child workers in export-oriented garment factories. (11) Provided training to 2,341 participants in 198 factories. Removed 10 children in child labor conditions, along with the NCCL's removal of 400 children, for a total of 410. (11,20)
UN WFP Country Program† (2011–2018)	Multi-government and private sector-funded, 8-year program implemented in collaboration with the Government of Cambodia that included a school feeding program for children in need. (77) This program was active during the reporting period. (20)

† Program is funded by the Government of Cambodia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (79)

Many poor households in rural communities lack access to a social protection safety net, which increases the vulnerability of children to child labor as a means to supplement family income. (3,80) Although Cambodia has implemented programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. (11)

In addition, the Ministry of Commerce and the Ministry of Labor and Vocational Training (MOLVT), in collaboration with the ILO, reportedly plan to fund a Cambodian Labor Force and Child Labor Survey, to be executed by Cambodia's National Institute of Statistics, in 2019. (11,20)

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 Cambodia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Extend labor protections to child household workers employed by their relatives.	2018
	Ensure that all children are protected by law, including children working outside of formal employment relationships.	2018
	Criminally prohibit the offering and use of a child for pornographic performances.	2015 – 2018
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Institute a compulsory education age that is at a minimum equal to the minimum age for work.	2009 – 2018
Enforcement	Provide sufficient resources for the enforcement of child labor laws to ensure that all inspections, including unannounced inspections, are conducted throughout the country, especially in rural areas and in the informal sector.	2010 – 2018
	Build the capacity of local-level authorities to enforce child and forced labor regulations, as applicable, in agriculture, brickmaking, tobacco, cassava, and fishing sectors, by providing more technical training opportunities for labor inspectors.	2012 – 2018
	Collect and publicly release disaggregated data on criminal law enforcement efforts, including the number of investigations conducted, the number of prosecutions initiated, the number of convictions, and the number imposed penalties for violations related to the worst forms of child labor.	2015 – 2018
Enforcement	Establish and uniformly administer penalties for violations of laws on child labor, including its worst forms, in accordance with the parameters prescribed by law.	2009 – 2018
	Strengthen inspectorate to include more on-site investigations, particularly at establishments that operate outside regular business hours	2018

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Coordination	Increase funding and enhance training for Commune Committees for Women and Children to enhance social services provision for children involved in or at risk of child labor.	2016 – 2018
Government Policies	Integrate child labor elimination and prevention strategies into the Multilingual Education National Action Plan and the National Employment Policy.	2015 – 2018
Social Programs	Increase access to free basic education by eliminating unofficial school fees and addressing issues related to limited transportation, inadequate school infrastructure, insufficient number of teachers, and language barriers.	2013 – 2018
	Expand social protection safety nets in rural areas to ensure that poor children and their families have access to services that may mitigate the risk of involvement in child labor.	2016 – 2018

REFERENCES

- Cambodian League for the Promotion and Defense of Human Rights (LICADHO). *Built on Slavery: Debt Bondage and Child Labour in Cambodia's Brick Factories*. Phnom Penh: December 2016. https://www.licadho-cambodia.org/reports/files/221LICADHO_Built_On_Slavery_Report_ENG.pdf.
- U.S. Department of State. *Trafficking in Person Report- 2018: Cambodia*. Washington, DC, 2019. <https://www.state.gov/reports/2018-trafficking-in-persons-report/cambodia/>.
- U.S. Embassy- Phnom Penh. Reporting. March 4, 2019.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary education, both sexes (%)*. Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Socio-Economic Survey (CSES), 2014. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- National Institute of Statistics of Cambodia and ILO. *Cambodia Labour Force and Child Labour Survey 2012: Child Labour Report*. Phnom Penh: November 2013. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/publication/wcms_230723.pdf.
- Government of Cambodia, Ministry of Agriculture, Forestry and Fisheries. *Policy and Strategic Framework on Childhood Development and Protection in the Agriculture Sector 2016–2020*. Phnom Penh: August 2015. Source on file.
- U.S. Embassy- Phnom Penh. Reporting, January 17, 2018.
- United Nations Office on Drugs and Crime. *Trafficking in persons from Cambodia, Lao PDR and Myanmar to Thailand*. August 2017. https://www.unodc.org/documents/southeastasiaandpacific/Publications/2017/Trafficking_in_persons_to_Thailand_report.pdf.
- Mathew, S. "Children's Work and Child Labour in Fisheries: A Note on Principles and criteria for employing children and policies and action for progressively eliminating the Worst Forms of Child Labour in fisheries and aquaculture," in *FAO Workshop: CHILD LABOUR IN FISHERIES AND AQUACULTURE*. Rome: April 14–16, 2010. http://www.fao-ilo.org/fileadmin/user_upload/fao_ilo/pdf/WorkshopFisheries2010/WFPapers/MathewICSFChildLabourFisheriesFinalNote.pdf.
- U.S. Embassy- Phnom Penh. Reporting. February 8, 2019.
- U.S. Embassy- Phnom Penh. Reporting, December 18, 2015.
- UCW. *The twin challenges of child labour and educational marginalisation in the South-East and East Asia region: An overview*. Rome: May 2014. http://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_25520/lang--en/index.htm.
- Sovuthy, K. "Child Labor Probe on Preah Vihear Sugar Plantation Moves Forward." Phnom Penh: *The Cambodia Daily*, April 3, 2014. <https://www.cambodiadaily.com/archives/child-labor-probe-on-preah-vihear-sugar-plantation-moves-forward-55643/>.
- Cambodia Institute of Development Study. *Rapid assessment on child labor in the sugarcane sector in selected areas in Cambodia: A comparative analysis*. Bangkok: ILO, 2015. http://www.ilo.org/asia/WCMS_391960/lang--en/index.htm.
- ILO Committee of Experts. *Individual direct observation for the Worst Forms of Child Labour Convention, 1999 (No. 182), Cambodia (Ratification: 2006)*. Accessed: January 11, 2019. Source on File.
- Carmichael, R. "Cambodia Struggling to Curb Child Labor." June 23, 2015. <https://www.voanews.com/east-asia-pacific/cambodia-struggling-curb-child-labor>.
- Chakya, KS. *Accident claims boy, 9, working as brick maker*. Phnom Penh: *Phnom Penh Post*, June 1, 2016. <http://www.phnompenhpost.com/national/accident-claims-boy-9-working-brick-maker>.
- Promchertchoo, P. *Cambodia's rapid urbanisation fuels child labour*. October 25, 2016. <http://www.channelnewsasia.com/news/asiapacific/cambodia-s-rapid-urbanisation-fuels-child-labour/3231414.html>.
- U.S. Embassy- Phnom Penh official. Email communication with USDOL official. July 18, 2019.
- U.S. Embassy- Phnom Penh. Reporting, January 13, 2017.
- Apparel Resources. "Child labor- a non-issue in Cambodian apparel industry, asserts Labor Minister." June 17, 2015. Source on file.
- HRW. "Work Faster or Get Out" - Labor Rights Abuses in Cambodia's Garment Industry. New York: March 12, 2015. http://features.hrw.org/features/HRW_2015_reports/Cambodia_Garment_Workers/index.html.
- Elliott, J. "Cambodian child labour laws flouted with fake IDs." *The Guardian*, March 30, 2015. <http://www.theguardian.com/global-development/2015/mar/30/cambodian-child-labour-laws-flouted-with-fake-ids>.
- ILO Committee of Experts *Individual Direct Request for the Worst Forms of Child Labour Convention, 1999 (No. 182), Cambodia (Ratification: 2006)*. Accessed: January 11, 2019. Source on File.
- Suy, Pav, and Jonathan Cox. "Child Labor Ring Busted." *The Khmer Times*, September 22, 2015. <https://www.khmertimeskh.com/news/16047/child-labor-ring-busted/>.

- 27 Southeary, Pech. Woman charged With abusing child beggars. *Khmer Times*, July 5, 2017.
<https://www.khmertimeskh.com/news/40001/woman-charged-with-abusing-child-beggars/>.
- 28 Crowder, N. "Tourists or voyeurs? Outsiders gaze at child labor in Cambodia's largest landfill." *Washington, DC: The Washington Post*, February 26, 2015.
<http://www.washingtonpost.com/news/in-sight/wp/2015/02/26/tourists-or-voyeurs-outsiders-gaze-at-child-labor-in-cambodias-largest-landfill/>.
- 29 UN Committee on the Rights of the Child. Consideration of Reports of State parties: Replies of Cambodia to the list of issues. January 6, 2015: Report No. CRC/C/OPSC/KHM/Q/1/Add.1.
[http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPSC/KHM/Q/1/Add.1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=_CRC/C/OPSC/KHM/Q/1/Add.1&Lang=en).
- 30 David, Sen. Child beggars repatriated from Vietnam. *Khmer Times*, June 16, 2017.
<https://www.khmertimeskh.com/news/39393/child-beggars-repatriated-from-vietnam/>.
- 31 U.S. Department of State. Trafficking in Persons Report- 2019: Cambodia Washington, DC, June 20, 2019.
<https://www.state.gov/reports/2019-trafficking-in-persons-report/cambodia/>.
- 32 Brickell, Katherine, et. al. Blood Bricks: Untold Stories of Modern Slavery and Climate Change from Cambodia. Royal Holloway, University of London, October 2018. Source on file.
- 33 Royal Holloway. New report finds modern slavery, which is part of construction boom in Cambodia, is linked to climate change. October 16, 2018. Source on file.
- 34 Field, Alexandra. The Children Working in Cambodia's Brick Kilns. July 7, 2017.
<http://edition.cnn.com/2017/07/26/asia/cambodia-brick-kiln/index.html>.
- 35 Channyda, Chhay, and Alice Cuddy. "The knowledge economy." *Phnom Penh: Phnom Penh Post*, September 17, 2015.
<http://www.phnompenhpost.com/national/knowledge-economy-0>.
- 36 Government of Cambodia. The Law on Education. Enacted: November 21, 2007.
<http://www.moeys.gov.kh/en/laws-and-legislations/law/>.
- 37 U.S. Department of State. Country Reports on Human Rights Practice- 2017: Cambodia. Washington, DC, 2017.
<https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/cambodia/>.
- 38 Government of Cambodia. Cambodian Labor Law. Enacted: March 13, 1997.
http://www.bigpond.com.kh/Council_of_Jurists/Travail/trv001g.htm.
- 39 Government of Cambodia. Prakas on the Prohibition of Hazardous Child Labor; 106. Enacted: April 28, 2004. Source on file.
- 40 Government of Cambodia. Penal Code. Enacted: December 10, 2010.
http://www.unodc.org/res/cld/document/khm/criminal_code_of_the_kingdom_of_cambodia_html/Cambodia_Criminal-Code-of-the-Kingdom-of-Cambodia-30-Nov-2009-Eng.pdf.
- 41 Government of Cambodia. Law on Suppression of Human Trafficking and Sexual Exploitation, NS/RKM/0208/005. Enacted: February 20, 2008.
http://www.unodc.org/res/cld/document/khm/2008/law_on_suppression_of_human_trafficking_and_sexual_exploitation_html/Cambodia_03_-_Law-on-Suppression-of-Human-Trafficking-and-Sexual-Exploitation-15022008-Eng.pdf.
- 42 Government of Cambodia. Law on Juvenile Justice, NS/RKM/0716/009. Enacted: June 29, 2016. Source on file.
- 43 Government of Cambodia. Law on Control of Drugs. Enacted: December 9, 1996.
http://www.cambodiainvestment.gov.kh/wp-content/uploads/2012/03/Law-on-Drug-Management_full-text_961209.pdf.
- 44 Government of Cambodia. The Law on the General Statute of Military Personnel of the Royal Cambodian Armed Forces. Enacted: September 15, 1997.
https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93508/109344/F811412622/KHM93508_Eng.pdf.
- 45 Government of Cambodia. MOLVT's Prokas on Working Conditions for House Workers. Enacted: May 29, 2018. Source on file.
- 46 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Cambodia (Ratification: 1999) Published: 2015. Accessed: November 5, 2015.
http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3187877:YES.
- 47 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Cambodia (Ratification: 1999) Published: 2018. Accessed: March 2018.
http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3338313.
- 48 ILO Committee of Experts. Individual Direct Observation concerning the Minimum Age Convention, 1973 (No. 138), Cambodia (Ratification: 1999). Accessed: January 11, 2019. Source on file.
- 49 Evans, Jonathan. Higher Student Dropout Rates Along Cambodia's Border with Thailand. *Voice of America - Learning English*, February 19, 2019. Source on file.
- 50 U.S. Embassy- Phnom Penh. Reporting, January 17, 2014.
- 51 U.S. Department of State. Country Reports on Human Rights Practices- 2015: Cambodia. Washington, DC: April 13, 2016.
<https://www.state.gov/reports/2015-country-reports-on-human-rights-practices/cambodia/>.
- 52 U.S. Embassy Phnom Penh official. Email communication to USDOL official. February 28, 2014.
- 53 U.S. Embassy- Phnom Penh. Reporting, February 19, 2016.
- 54 ILO. Cambodia, Labour Inspection Structure and Organization. Accessed: November 4, 2016.
http://www.ilo.org/labadmin/info/WCMS_209354/lang--en/index.htm.
- 55 U.S. Embassy Phnom Penh official. Email communication to USDOL official. March 6, 2016.
- 56 Ministry of Labor and Vocational Training officials. Interview with USDOL official. September 20, 2016.
- 57 UN Committee on the Elimination of Discrimination against Women. Sixth periodic report submitted by Cambodia under article 18 of the Convention, due in 2017. June 12, 2018: CEDAW/C/KHM/6. Source on file.
- 58 U.S. Embassy Phnom Penh official. Email communication to USDOL official. August 3, 2015.
- 59 Government of Cambodia. National Plan of Action on the Elimination of the Worst Forms of Child Labour (NPA-WFCL) 2008-2012. Accessed: July 8, 2010.
http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=93428&p_country=KHM&p_count=183.
- 60 Jordanwood, M. Protecting Cambodia's Children? *Phnom Penh: World Vision Cambodia*, 2016.
<http://www.wvi.org/publication/protecting-cambodia-s-children>.
- 61 Government of Cambodia. National Plan of Action of the National Committee for Counter Trafficking (2014–2018). *Phnom Penh: February 6, 2015*.
<https://ctipcambodia.files.wordpress.com/2017/08/03-aug-17-ncct-mid-term-review.pdf>.

MODERATE ADVANCEMENT

- 62 Government of Cambodia. Action Plan to Prevent and Respond to Violence Against Children. December 11, 2017. https://www.unicef.org/cambodia/Full_VAC_Action_Plan_En_Final_AP.pdf.
- 63 Government of Cambodia. Action Plan for Gender Equality Promotion and Child Labor Elimination in the Fisheries Sector (2016-2020). Phnom Penh: Fisheries Administration, December 2015. Source on file.
- 64 Government of Cambodia. Education Strategic Plan 2014–2018. Phnom Penh: Ministry of Education, Youth, and Sport, March 2014. <http://www.moeys.gov.kh/en/policies-and-strategies/559.html#.WL69v9LytQl>.
- 65 U.S. Embassy Phnom Penh official. Email communication to USDOL official. February 8, 2017.
- 66 Government of Cambodia. National Social Protection Strategy for the Poor and Vulnerable. Phnom Penh: 2011. <https://www.social-protection.org/gimi/gess/ShowResource.action?resource.ressourceId=24880>.
- 67 ILO CEACR. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (no. 182) Cambodia (ratification: 2006). Published: 2018. Source on file.
- 68 Government of Cambodia. National Policy on Youth Development. Phnom Penh: Ministry of Education, Youth and Sports, June 24, 2011. http://www.youthpolicy.org/national/Cambodia_2011_Policy_Youth_Development.pdf.
- 69 Government of Cambodia. Safety Village Commune/Sangkat Policy Guideline. Phnom Penh: August 2010. <http://www.cncc.gov.kh/userfiles/image/download/Policies & Standards-E9 Village Commune Safety Policy-En.pdf>.
- 70 Government of Cambodia, Ministry of Social Affairs, Veterans and Youth Rehabilitation. Policy on Protection of the Rights of Victims of Human Trafficking. Phnom Penh: 2009. Source on file.
- 71 Association of Southeast Asian Nations. ASEAN Convention Against Trafficking in Persons, Especially Women and Children. Kuala Lumpur: November 21, 2015. <http://www.asean.org/storage/images/2015/November/actip/ACTIP.PDF>.
- 72 Government of Cambodia. National Employment Policy (2015–2025). Phnom Penh: September 4, 2015. <http://khmerekbookfreedownload.blogspot.com/2015/10/cambodia-national-employment-policy.html>.
- 73 Government of Cambodia, Ministry of Education, Youth and Sport. Multilingual Education National Action Plan (2015-2018). Phnom Penh: October 2015. Source on file.
- 74 Winrock International. Cambodia Countering Trafficking-in-Persons (CTIP) Factsheet. Accessed: December 7, 2016. <https://ctipcambodia.files.wordpress.com/2016/01/here.pdf>.
- 75 USAID. Cambodia Countering Trafficking-in-Persons (CTIP) Program. May 3, 2015. http://www.grants-gov.net/grants_gov_display.php?program=RFA-442-15-000002.
- 76 ILO and IFC. Better Factories Cambodia: Garment Industry 33rd Compliance Synthesis Report. ILO and International Finance Corporation, June 2016. http://betterwork.org/dev/wp-content/uploads/2016/10/SR-33-BFC-FINAL_ENG2-1.pdf.
- 77 World Food Program Cambodia. WFP Cambodia Country Brief. October, 2017. https://documents.wfp.org/stellent/groups/public/documents/ep/wfp273243.pdf?_ga=2.265899270.822048756.1521136285-525172881.1521136285.
- 78 Damnok Toek. To assist vulnerable children and their families. Accessed: February 28, 2019. Source on file.
- 79 ILO. Kingdom of Cambodia Decent Work Country Programme (DWCP) 2016–2018. May 2016. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_533564.pdf.
- 80 Orsini, D. Eliminating Exploitative Child Labor Through Education and Livelihoods. Final Evaluation. Arlington: Management Systems International, 2016. https://www.dol.gov/sites/dolgov/files/EBSA/Cambodia_EXCEL_feval.pdf.

In 2018, Cameroon made a moderate advancement in efforts to eliminate the worst forms of child labor. The government more than doubled the number of labor inspectors, and removed more than 300 children from situations of exploitation and provided them with social services. It also hired more than 3,000 teachers and expanded the scope of a school feeding program which aims to benefit 81,500 children in the Adamawa, East, North, and Northwest regions. However, children in Cameroon engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in cocoa production. The government has not acceded to the United Nations Convention on the Rights of the Child Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. In addition, it has not prohibited the use of children in illicit activities, including in the production and trafficking of drugs.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Cameroon engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in cocoa production. (1-3) Table 1 provides key indicators on children’s work and education in Cameroon. 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	56.2 (Unavailable)
Attending School (%)	5 to 14	79.7
Combining Work and School (%)	7 to 14	52.7
Primary Completion Rate (%)		70.1

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (4)

Source for all other data: International Labor Organization’s analysis of statistics from Enquête Démographique et de Santé et à Indicateurs Multiples, 2011. (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 bananas, cocoa, palm oil, onions, and tea, including handling pesticides, using machetes, clearing fields, climbing trees, and lifting heavy loads† (6-10)
	Raising livestock (9-11)
	Fishing (7,9-12)
Industry	Working in artisanal gold mines† and gravel quarries,† transporting heavy loads† of sand or gravel, breaking stones, and digging or standing in stagnant water to extract minerals (3,8-14)
	Construction, including carrying heavy loads† of water, concrete, cement, and bricks (8,10,11,13)
Services	Domestic work (8-11,13,15)
	Working in restaurants and as phone booth operators (9-11)
	Working in transportation (8-11)
	Street work, including carrying heavy luggage and selling bush meat,† vending, and begging (7,9-11,13,16-20)
	Voluntarily recruited children used in hostilities by state-armed groups (9)

Cameroon

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,3,9,10,13,21-23)
	Recruitment of children by <i>Boko Haram</i> , a non-state armed group, for use in armed conflict, including as suicide bombers and concubines (10,24,25)
	Forced labor in agriculture in the production of cocoa, cotton, onions, and tea; fishing; livestock raising; domestic work; spare parts shops; in artisanal gold mines and gravel quarries; street vending; and construction, each sometimes as a result of human trafficking (3,10,13,23,26)
	Forced begging as <i>talibés</i> in Koranic schools (3,8)

† 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.

Cameroon is a source, transit, and destination country for child trafficking from neighboring countries in Central and West Africa. (3,8,18) Due to increased awareness among parents of the risks associated with entrusting children to intermediaries who often promise to take children to urban centers to pursue education or an improved living arrangement, some perpetrators of human trafficking have resorted to kidnapping children. (3) Children engaged in cocoa production are exposed to dangerous working conditions, including exposure to pesticides and the use of sharp tools such as machetes. (11) The NGO, Child Soldiers International, alleged that some officially sanctioned community neighborhood watch groups, known as vigilance committees, may have used and recruited children as young as age 12 in military operations against *Boko Haram*. (9) In Cameroon, *Boko Haram* uses boys as child soldiers, and girls as forced suicide bombers and sex slaves. (10)

Although Decree N° 2001/041 on the Organization of Public Schools guarantees free education in Cameroon, costs associated with education may be prohibitive to some families who are required to pay for uniforms, books, and other school-related fees. (7,8,26-31) In addition, a lack of schools and teachers in rural areas, the absence of potable water and sanitation facilities, and long distances to schools also hinder access to education. (11,18,26,29,32,33) Children in refugee camps may have a particularly difficult time accessing education due to a lack of school infrastructure, teachers, and resources to pay for school-related expenses. (29,34-37) Since November 2016, the Anglophone Northwest and Southwest regions have experienced strikes and boycotts protesting systemic government discrimination against Anglophone speakers who have demanded more political autonomy or secession. Protests have become increasingly violent, and school infrastructure and personnel have been directly targeted. (9,38) As of June 2018, at least 58 schools were damaged in the two Anglophone regions as a result of the conflict, leaving an estimated 42,500 children with limited access to education. Additionally, between January and July 2018, there were 10 reported threats or attacks on education personnel, including the deaths of at least 2 teachers and the kidnapping of 3 school principals. (38,39) These events have disrupted schooling for children in these areas due to school closures, an absence of teachers, and voluntary or forced displacement as a result of the protest. The disruption of children’s access to education places children at high risk of becoming victims of exploitation and child labor. (39-46)

In 2018, in the Far North region, *Boko Haram* continued to forcibly recruit child soldiers for use in attacks against civilian and military targets, including using three girls between the ages of 14 and 17 as suicide bombers. Children in refugee or IDP camps are particularly vulnerable to the worst forms of child labor, including commercial sexual exploitation. (11,24) However, during the reporting period, the government reopened 40 schools in the Far North region that had been closed since 2014 due to threats from *Boko Haram*. (9,47,48) During the reporting period, the Ministry of Basic Education signed new employment contracts with 3,051 primary and nursery school teachers, and in December 2018, launched a campaign to recruit an additional 1,000 teachers. (20)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Cameroon has ratified most 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 Cameroon's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities and the establishment of a compulsory education age that is consistent with the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 2 of Order N° 017 on Child Labor; Section 86 of the Labor Code (49,50)
Minimum Age for Hazardous Work	Yes	18	Articles 9–23 of Order N° 017 on Child Labor; Section 86 of the Labor Code (49,50)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 9–23 of the Order on Child Labor (50)
Prohibition of Forced Labor	Yes		Sections 2–6 of the Law Relating to the Fight Against Trafficking in Persons and Slavery; Articles 11, 342-1, 352, and 353 of the Penal Code; and Section 2 of the Labor Code (49,51,52)
Prohibition of Child Trafficking	No		Sections 2 and 4–6 of the Law Relating to the Fight Against Trafficking in Persons and Slavery; Articles 11, 342-1, and 352–354 of the Penal Code (51,52)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 294 and 344–347 of the Penal Code; Articles 76, 81, and 82 of the Law on Cybersecurity and Cybercriminality (51,53)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 12 of the Decree Concerning the Status of Non-Defense Military Personnel; Article 2a of the Decree Establishing the Conditions for Admission to Military Training Schools for Officers (54,55)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 12 of the Decree Concerning the Status of Non-Defense Military Personnel; Article 2a of the Decree Establishing the Conditions for Admission to Military Training Schools for Officers (54,55)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No	12‡	Preamble of the Constitution; Articles 9 and 16 of the Law Orienting the Education System (56,57)
Free Public Education	Yes		Articles 46 (2), 47, and 48 of the Decree on the Organization of Public Schools (30)

* No conscription (58)

‡ Age calculated based on available information (27)

Cameroon

MODERATE ADVANCEMENT

During the reporting period, the government brought together social partners, members of the judiciary, and law enforcement in a series of three workshops with the goal of raising awareness on the application of ILO conventions in participants' respective categories of work. (9,20) The government has not established a compulsory education age, which may lead to children being out of school and vulnerable to engaging in child labor. Human trafficking provisions remain discordant with international standards, as they require threats, the use of force, or coercion to be established for the crime of child trafficking, and individuals ages 16 to 18 are not considered children. (51,52) In addition, the types of hazardous work prohibited for children under age 18 are not comprehensive, as work underwater or at dangerous heights is not prohibited. (15,50) In 2018, the Ministry of Labor and Social Security (MINTSS) undertook efforts to begin revising the list of prohibited hazardous work. (9)

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 MINTSS 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 Social Security (MINTSS)	Leads efforts to enforce all labor laws, including those related to child labor, promotes decent working conditions, and leads the National Committee to Combat Child Labor (CNLCTE). (7,59)
Ministry of Justice (MOJ)	Prosecutes cases referred by the General Delegate for National Security (DGSN) or the Ministry of Defense's National Gendarmerie (SED) and contributes to investigations as appropriate. (60)
Ministry of Social Affairs (MINAS)	Leads efforts to combat human trafficking. Provides social services through its National Referral System. (7,11,61,62) Through its Minors Brigade, supports local police in their investigations of child trafficking and the use of children in hazardous work. (63) Through its Joint Mobile Brigade, prevents and combats the phenomenon of street children through identification, reintegration, and education; reintegrates street children to assist in the Joint Mobile Brigade's work. (64) In 2018, conducted a nationwide campaign against the commercial sexual exploitation of children. (10)
Ministry of Women's Empowerment and Family (MINPROFF)	Promotes and protects the rights of the child. (7)
General Delegate for National Security (DGSN)	Enforces laws against the worst forms of child labor and investigates violations in urban areas. (60) Through its Special Vice Squad, investigates cases of human trafficking, commercial sexual exploitation, and other forms of abuse against women and children. (15,60) Refers cases to the MOJ or Ministry of Defense for investigation by SED. (64)
Ministry of Defense's National Gendarmerie (SED)	Investigates cases of child trafficking and commercial sexual exploitation in both urban and rural areas before referring cases to MOJ for prosecution. (64)

Although it does not play a direct role in enforcement, Cameroon's National Commission on Human Rights and Freedoms advises government ministries on the enforcement of laws related to child labor and advocates for sanctions as appropriate. (11,65) Local representatives from the Ministry of Territorial Administration may settle child labor disputes amicably or refer the case to the Ministry of Defense's National Gendarmerie, the General Delegate for National Security (DGSN), or the Ministry of Justice for further investigation and prosecution. (64) In 2018, the Ministry of Social Affairs (MINAS) identified 877 street children exposed to situations of potential exploitation, and successfully removed 307 of them from their situations by referring them to a MINAS-run center or reuniting them with their families. (9) Also during the reporting period, MINAS spent approximately \$1,004 to train one of these children at the Regional School of Agriculture in Ebolowa, South Region. (10)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Cameroon took actions to combat child labor (Table 6). However, gaps exist within the operations of MINTSS that may hinder adequate labor law enforcement, including financial and human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (11)	Unknown (9)
Number of Labor Inspectors	132 (11)	286 (9)
Inspectorate Authorized to Assess Penalties	Yes (49)	Yes (9)
Initial Training for New Labor Inspectors	Yes (11)	Yes (9)
Training on New Laws Related to Child Labor	N/A (11)	N/A (9)
Refresher Courses Provided	Yes (11)	Unknown (9)
Number of Labor Inspections Conducted	1,777 (11)	2,000‡ (9)
Number Conducted at Worksite	Unknown (11)	Unknown (9)
Number of Child Labor Violations Found	0 (11)	0 (9)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (11)	N/A (9)
Number of Child Labor Penalties Imposed that Were Collected	N/A (11)	0 (9)
Routine Inspections Conducted	Yes (11)	Yes (9)
Routine Inspections Targeted	Yes (11)	Yes (9)
Unannounced Inspections Permitted	Yes (11)	Yes (9)
Unannounced Inspections Conducted	Yes (11)	Yes (9)
Complaint Mechanism Exists	Yes (11)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (9)

‡ Data are from January 1, 2018 to October 31, 2018. (9)

Although the government significantly increased its number of labor inspectors from 2017, it likely is still insufficient for the size of Cameroon's workforce, which includes more than 9 million workers. (9,11,52,58,60,66) According to the ILO's recommendation of 1 inspector for every 15,000 workers in industrializing economies, Cameroon would employ about 660 labor inspectors. (58-60,66-68) Furthermore, inspectors are tasked with conciliation duties which may detract from time devoted to their primary duties; and labor inspections are not conducted in the informal sector in which the majority of child labor occurs. (41,49,61,69,70) In general, the labor inspectorate lacked resources during the reporting period, and field inspectors in particular lacked transportation. However, the 2018 budget included funding to purchase vehicles for some divisions with heavy workloads. (9,11)

The government has not created a specific mechanism for filing and responding to complaints about child labor. (9) In an attempt to increase its scope, MINAS, Interpol, and DGSN all maintain hotlines for reporting the worst forms of child labor. Calls are routed to the National Referral System for assistance to victims. (13,15,24,26,71,72) However, the system has not been well-publicized since it was established in 2013, leaving the public unaware of its existence, and some calls may go unanswered. (24,71) Research was unable to determine how many cases of child labor were identified as a result of complaints made to these hotlines.

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Cameroon 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 financial resources and collaboration between ministries.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (11)	Yes (9)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (11)	N/A (9)
Refresher Courses Provided	No (24)	Unknown (9)
Number of Investigations	0 (11)	Unknown (9)

Cameroon

MODERATE ADVANCEMENT

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

Overview of Criminal Law Enforcement	2017	2018
Number of Violations Found	Unknown	Unknown (9)
Number of Prosecutions Initiated	0 (11)	Unknown (9)
Number of Convictions	0 (11)	Unknown (9)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (9)

It is unclear how many investigators were employed by the government in 2018, although several government bodies work together to enforce criminal laws related to the worst forms of child labor. In general, these agencies do not receive adequate funding or training to investigate the worst forms of child labor, and high staff turnover is a challenge. (3,9,11) As a result, NGOs are critical in bringing child trafficking cases to the government's attention and providing services to victims. (3,9,64) During the year, there were credible reports of children involved in commercial sexual exploitation. However, the government does not appear to have initiated investigations into any of these cases. (9)

During the reporting period MINAS, in collaboration with the Ministry of Territorial Administration and the national police, implemented activities to raise awareness among parents on the negative effects of child labor. In June, authorities in Kribi identified 21 children, ages 6 to 13, engaged in street vending. (9) The police took custody of the children until their parents could be reached. The police then interrogated the parents, informed them of the risks of street vending, and warned the parents that they would be prosecuted if the children returned to the street. (9) The government acknowledges that a lack of awareness of child trafficking issues may prevent citizens from reporting offenses to enforcement agencies and that children may be afraid to speak against perpetrators in court. (3) During the reporting period, border police increased efforts to ensure that children do not cross borders without being accompanied by a parent. Adults accompanying children must show proof of their relationship with the child by presenting the child's identification documents. (10,73) The ongoing participation of lawyers in the Anglophone protests also impacted the ability of victims to seek justice and may have contributed to delayed court proceedings, including those related to the alleged complicity of government officials in a child trafficking ring. (24) A lack of collaboration between NGOs and the government, combined with judicial inefficiencies, led some cases to be settled outside the judicial system. (3,74) Although the government generally considers children to be victims rather than offenders, reports indicate that the government has held children as young as age 5 in detention facilities for prolonged periods due to suspicion of being affiliated with *Boko Haram*, or to prevent them from being recruited into *Boko Haram*. (65,75-81) During the reporting period, 55 children affiliated with *Boko Haram* voluntarily surrendered to military authorities and were arrested, detained, and denied access to support services. (81) In July 2018, the government announced that it had arrested seven military personnel suspected of being involved in the killing of two children in the Far North. (48,82,83)

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 the lack of resources to carry out mandates.

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

Coordinating Body	Role & Description
National Committee to Combat Child Labor (CNLCTE)	Coordinates government efforts to combat child labor, proposes measures to harmonize Cameroon's legal framework to international standards, and implements the National Plan of Action to Combat Child Labor and Trafficking in Children (PANETEC). (58,84,85) Led by MINTSS, includes representatives from 10 other ministries and government bodies. (59,84) The CNLCTE held its third session on September 26, 2018. (9)

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

Coordinating Body	Role & Description
Inter-Ministerial Committee (IMC)	Coordinates government efforts to combat human trafficking. Chaired by the Secretary General of the Office of the Prime Minister, includes members of eight ministries, law enforcement personnel, civil society organizations, and NGOs. (3,24) Oversees Regional Taskforces on Trafficking in Persons in Northwest, Southwest, and Littoral Provinces. (3,86) In 2018, continued to hold meetings with stakeholders to discuss efforts in combating human trafficking. (73)

A lack of resources and socio-political unrest in the Anglophone regions hampered government efforts to effectively coordinate to combat the worst forms of child labor. (20)

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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
MOJ's National Action Plan for the Promotion and Protection of Human Rights in Cameroon (2015–2019)	Strives to combat exploitative child labor by disseminating standard operating procedures for the National Referral System, raising awareness about how to identify and report cases of child trafficking, increasing punishments for offenders, and building the capacity of labor inspectors. (60,87,88) Also aims to improve access to education for vulnerable groups by increasing the number of teachers and classrooms, establishing a legal framework to regulate parent teacher associations, and increasing the rate of educational attainment for girls. (88) In 2018, implementation was impacted by security concerns and a lack of resources. (73)
Decent Work Country Program (2014–2019)	Incorporates child labor concerns into the national strategy for work. (6) In 2018, the government extended the program by two years. (9)

Although the National Action Plan to Combat Child Labor and Trafficking in Children (PANETEC) expired in 2016 before its official adoption in October 2017, in 2018 the Government of Cameroon updated the PANETEC objectives and implementing mechanism as part of its commitment to the Sustainable Development Goals. (9,11,65) The Trafficking in Persons Action Plan (2014–2019) does not receive dedicated funding; however, member ministries of the Inter-Ministerial Committee (IMC) use their ministry funds to carry out activities in support of the Action Plan. (64) The government is drafting a new Trafficking in Persons Action Plan for 2017–2019. (65) The government has not included child labor elimination and prevention strategies into the Poverty Reduction Strategy Paper (2010–2020) or the IMC's National Gender Policy Document (2011–2020). (89-91)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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

Table 10. Key Social Programs to Address Child Labor

Program	Description
Project to Fight the Phenomenon of Street Children (Project 559)†	MINAS-funded program that provides street children with health care, education, and psychosocial care. (11,27,31) Through its partnership agreement Project 559, in conjunction with the National Employment Fund, supports the reintegration of street children and provides vocational training opportunities. (11) In 2018, MINAS worked to reintegrate into school 53 children who had been working on the street. (9,20)
UNICEF Country Program (2018–2020)*	Prioritizes strengthening the child protection system to prevent violence and exploitation, especially sexual violence against girls. Provides financial and technical support to the government for the implementation of an inclusive birth registration project, with a particular focus on indigenous communities. (9) In September 2018, the project team, which included officials from the National Civil Status Bureau and MINAS, visited the Betare Oya health district to engage with members of the Baka indigenous community to commit to facilitating birth registration. (9)

Cameroon

MODERATE ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
School Feeding Program (2018–2022)*	\$27 million U.S. Department of Agriculture (USDA)-funded McGovern-Dole International Food for Education and Child Nutrition Program, which improves literacy and nutrition in 265 primary schools. In 2018, the USDA and the government expanded the scope of the program which now benefits 81,500 children in the Adamawa, East, North, and Northwest regions. (9)
Services for Displaced or Refugee Children†	UNICEF programs that provide educational services to children affected by conflict, including: CARED2, which offers accelerated education curriculums for children in refugee camps in the Far North; ETAPES, which establishes temporary schools and protection centers in Adamawa and East regions; and the Child Protection and Education Project, which works with Catholic Relief Services in the East to enroll and retain refugee children in schools. (92) Research was unable to determine whether activities were undertaken to implement activities during the reporting period.
Northern Cameroon Initiative	A USAID/Office of Transition Initiatives \$25.6 million program to stabilize border communities impacted by crisis, and to counter the spread of violent extremism. In 2018, the program undertook activities to combat child labor including rehabilitating schools, promoting birth registration by issuing birth certificates, and strengthening parent teacher associations. (73,93)
World Bank Projects	Programs that aim to provide social safety nets and improve educational outcomes, including Social Safety Nets (2014–2018), a \$50 million program by the Ministry of Economy, Planning, and Regional Development to provide direct cash transfers to vulnerable families for healthcare and education expenses; and the Equity and Quality for Improved Learning Project (2014–2018), a \$55.8 million program by the Ministry of Basic Education to distribute textbooks for grades 1 to 3, promote girls' education, increase the number of teachers in Cameroon, and improve access to primary education as part of the Education for All initiative. (94,95)
Cameroon Institute of Childhood (ICE) Rehabilitation Project (2017–2020)†	\$2.9 million project financed by MINAS and its partners to rehabilitate a center in Betamba, which serves children in conflict with the law and provides vocational training to area youth. (11) During the reporting period, upgrades were made to the health unit, a multipurpose hall, and a dormitory. Additionally, in June 2018, Orange Foundation provided computer equipment to the center. (96)

* Program was launched during the reporting period.

† Program is funded by the Government of Cameroon.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms. (3,16)

During the reporting period, the government, in conjunction with civil society partners, launched a birth registration process for returnee children, internally displaced children, and children from the host population of Mozogo in the Far North Region. In June 2018, the government distributed 368 birth certificates. (9)

Although the government has implemented programs to assist victims of child trafficking and children engaged in street work and domestic work, the scope of these programs is insufficient and does not fully address the extent of the problem in other sectors such as agriculture, mining, quarrying, and commercial sexual exploitation. (1,9,95) Government-run centers can temporarily house victims, but space is limited. (24,74,97) In 2018, the government has made efforts to increase the capacity of victim support centers by rehabilitating the Betamba Child Institute, but this effort does not adequately address the magnitude of the need. (20)

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 Cameroon (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2018
	Criminally prohibit the use of children for illicit activities, including in the production and trafficking of drugs.	2014 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Establish a minimum age for compulsory education that is consistent with the minimum age for admission to work.	2009 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibiting child trafficking do not require threats, the use of force, or coercion to be considered child trafficking and that all children under age 18 are protected.	2015 – 2018
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include work underwater and at dangerous heights.	2014 – 2018
Enforcement	Collect and publish comprehensive statistics on enforcement efforts, including labor inspectorate funding, the number of inspections conducted at worksites, and number of criminal labor law violations found.	2009 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2018
	Ensure that the labor inspectorate and criminal law enforcement agencies receive an adequate amount of funding, training, and resources with which to conduct inspections and investigations.	2009 – 2018
	Strengthen the labor inspectorate by conducting inspections in all sectors, including in the informal sector.	2013 – 2018
	Establish a formal institutional mechanism to investigate and address complaints related to allegations of child labor, including commercial sexual exploitation.	2018
	Ensure that all hotlines for reporting the worst forms of child labor are well-publicized and operational, and that all calls are logged so that cases of child labor may be tracked for referral to law enforcement or social services providers.	2015 – 2018
	Raise awareness of child trafficking issues to encourage citizens to report offenses to enforcement agencies, and ensure that such cases are resolved within the judicial system.	2016 – 2018
	Cease the practices of subjecting children to physical violence and detaining children for their alleged association with armed groups, and ensure that enforcement officials do not carry out extrajudicial killings.	2015 – 2018
Coordination	Ensure that existing coordinating mechanisms function effectively and receive sufficient resources to carry out their stated mandates.	2014 – 2018
Government Policies	Ensure that existing policies, such as the Ministry of Justice's National Action Plan for the Promotion and Protection of Human Rights in Cameroon (2015–2019) and the Inter-Ministerial Committee's Trafficking in Persons Action Plan (2014–2019), receive adequate funding and are implemented as intended.	2016 – 2018
	Integrate child labor elimination and prevention strategies into the Poverty Reduction Strategy Paper and the Inter-Ministerial Committee's National Gender Policy Document.	2010 – 2018
Social Programs	Ensure that all children, regardless of refugee status, have access to education by eliminating school-related fees, minimizing the disruption of teacher strikes. Ensure that schools are free from violence and not re-appropriated for other purposes.	2009 – 2018
	Ensure that social programs to address child labor are implemented in accordance with their mandates.	2018
	Ensure that the number of schools and teachers, and potable water and sanitation facilities are adequate throughout the country.	2009 – 2018
	Expand existing programs to address the scope of the child labor problem in Cameroon, and institute programs to address child labor in agriculture, mining, quarrying, and commercial sexual exploitation.	2009 – 2018
	Ensure that all government-run centers have sufficient space to accommodate victims.	2016 – 2018

REFERENCES

- U.S. Embassy-Yaoundé. Reporting, June 9, 2017.
- Government of Cameroon - National Institute of Statistics. Etude Pilote sur l'Exploitation Sexuelle Commerciale des Enfants au Cameroun en 2010. 2010. http://www.statistics-cameroon.org/downloads/CSEC/Note_synthese_Rapport_CSEC.pdf.
- U.S. Department of State. Trafficking in Persons Report- 2019: Cameroon. Washington, DC, June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/cameroon/>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Enquête Démographique et de Santé et à Indicateurs Multiples, 2011. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.

MODERATE ADVANCEMENT

- 6 ILO. Equipe d'Appui Technique au Travail Décent pour l'Afrique Centrale et Bureau Pays pour l'Angola, le Cameroun et São Tomé & Príncipe. Programme Pays pour le Travail Décent (PPTD) 2014–2017. 2014. http://www.ilo.org/wcmsp5/groups/public/---ed_mas/---program/documents/genericdocument/wcms_560913.pdf.
- 7 Government of Cameroon. Plan d'Action National pour l'Elimination des Pires Formes de Travail des Enfants au Cameroun (PANETEC) (2014–2016). Ministère du Travail et de la Sécurité Sociale (MINTSS). 2014. Source on file.
- 8 ILO Committee of Experts. Provisional Record: Third item on the agenda: Information and reports on the application of Conventions and Recommendations - Report of the Committee on the Application of Standards. June 2015. http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_375764.pdf.
- 9 U.S. Embassy- Yaoundé. Reporting. January 10, 2019.
- 10 U.S. Embassy- Yaoundé. Reporting. March 13, 2019.
- 11 U.S. Embassy- Yaoundé. Reporting. January 4, 2018.
- 12 Ngapout, Assiatou. Cameroun: La lutte s'intensifie contre travail des enfants. Cameroon Tribune, April 30, 2015. <http://www.cameroun-info.net/article/cameroun-la-lutte-sintensifie-contre-travail-des-enfants-242769.html>.
- 13 National Commission on Human Rights and Freedoms. Report on the State of Human Rights in Cameroon in 2013. Cameroon Tribune, 2015. Source on file.
Ngapout, Assiatou. Cameroun: La lutte s'intensifie contre travail des enfants. Cameroon Tribune. April 30, 2015. <http://www.cameroun-info.net/article/cameroun-la-lutte-sintensifie-contre-travail-des-enfants-242769.html>.
- 14 Kouagheu, J. Au Cameroun, avec les enfants chercheurs d'or de Bétaré-Oya. January 11, 2016. http://www.lemonde.fr/afrique/article/2016/01/11/au-cameroun-avec-les-enfants-chercheurs-d-or-de-betare-oya_4845234_3212.html.
- 15 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Cameroon (ratification: 2002) Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3248783.
- 16 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Cameroon (ratification: 2002). Published: 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3184659.
- 17 Kindzeka, Moki Edwin. Cameroon Teachers Celebrate Teachers Day Amid Growing Challenges. October 5, 2015. <http://www.voanews.com/content/teachers-celebrate-teachers-day-amid-growing-challenges/2991709.html>.
- 18 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Cameroon (ratification: 2002). Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3248780.
- 19 Camernews. Jobs de vacances, le travail forcé des enfants, une implacable réalité. June 27, 2017. <http://www.camernews.com/cameroun-jeunesse-jobs-de-vacances-le-travail-force-des-enfants-une-implacable-realite/>.
- 20 U.S. Embassy- Yaoundé. Email communication to USDOL official. January 28, 2019.
- 21 Government of Cameroon - National Institute of Statistics. Pires Formes de Travail des Enfants: Enquete Pilote sur l'Exploitation Sexuelle Commerciale des Enfants au Cameroun en 2010. December 2011. http://www.minas.gov.cm/images/Documents/Rapports/Rapport_CSEC_Cameroun_les_pires_formes_de_travail_des_enfants.pdf.
- 22 Ondoua Owona, J. J. Cameroun: Exploitation sexuelle des enfants. August 27, 2015. <http://www.camer.be/44877/11:1/cameroun-exploitation-sexuelle-des-enfants-cameroun.html>.
- 23 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Cameroon (ratification: 2002). Accessed November 13, 2015. Published: 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3184662.
- 24 U.S. Embassy- Yaoundé. Reporting. February 13, 2018.
- 25 UN Security Council. Report of the Secretary-General on Children and armed conflict. June 20, 2020: Report No. S/2019/509. https://www.un.org/ga/search/view_doc.asp?symbol=S/2019/509&Lang=E&Area=UNDOC.
- 26 UN Committee on the Rights of the Child. Concluding observations on the combined third to fifth periodic reports of Cameroon. July 6, 2017: CRC/C/CMR/CO/3-5. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d/PPRiCAqhKb7yhgsv0eNCYtyyNQsBlq2fFI+BLDR+tER74itj0ekjDjz4wbl4fgfYv642MhmsNay7kgdHmU0BVfjhTNRQG79Bfnc8Lx9UXstSXlC94LO60XZTY>.
- 27 U.S. Department of State. Country Reports on Human Rights Practices- 2016: Cameroon. Washington, DC, March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/cameroun/>.
- 28 Cheumani Noudjieu, Charlotte. AUDIT SOCIAL EN FAVEUR DES INDIGENTS ET DES POPULATIONS AUTOCHTONES - Volume 1: Évaluation sociale. Government of Cameroon and World Bank, February 25, 2016. <http://documents.worldbank.org/curated/en/193251468019812343/pdf/SFG1882-V1-IPP-FRENCH-PI156679-PUBLIC-Discovered-2-25-2016.pdf>.
- 29 Guilbert, K. Child marriage threatens future of young Central African Republic refugees in Cameroon. November 8, 2016. <http://www.reuters.com/article/us-cameroun-centralafrica-refugees-idUSKBN1330G0>.
- 30 Government of Cameroon. Décret N° 2001/041 portant organisation des établissements scolaires publics et attributions des responsables de l'administration scolaire. Enacted: 2001. Source on file.
- 31 UN Committee on the Rights of the Child. Summary record of the 2215th meeting. June 6, 2017: CRC/C/SR.2215. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d/PPRiCAqhKb7yhsialUb+ZGftp59yZHGEX78+mK4fCPd4WsGjAm8Om8X+kjzUuzZjh+jYtuHUKqFoxnr/PaVvDnVRr4inNKVg+jNQ8Y9qbGgtWeSYf1hTZNdOkE>.
- 32 UNESCO. Global Education Monitoring Report 2016. 2016. <http://unesdoc.unesco.org/images/0024/002457/245752e.pdf>.
- 33 World Bank. Equity and Quality for Improved Learning Project - Project Information Document (Appraisal Stage). 2014. <http://documents.worldbank.org/curated/en/328391468231306998/pdf/PID-Appraisal-Print-PI33338-11-25-2013-1385413976914.pdf>.
- 34 UNICEF. Nigeria conflict forces more than 1 million children from school. December 22, 2015. http://www.unicef.org/media/media_86621.html.
- 35 UNICEF. The Impact of Boko Haram and Armed Conflict on Schooling in Cameroon's Far North. February 2015. [http://reliefweb.int/sites/reliefweb.int/files/resources/CMRFarNorthEduction-Rapid_Assessment2015Final\(1\).pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/CMRFarNorthEduction-Rapid_Assessment2015Final(1).pdf).
- 36 Kindzeka, Moki Edwin. CAR. Refugees Face Difficult Living Conditions in Cameroon. August 17, 2015. <http://www.voanews.com/content/difficult-living-conditions-for-car-refugees-in-cameroun/2921047.html>.
- 37 Kindzeka, Moki Edwin. Cameroon Communities, Refugees at Odds Over Food Shortages. May 15, 2017. <http://www.voanews.com/a/cameroun-communities-refugees-odds-food-shortages/3852101.html>.

- 38 Human Rights Watch. These Killings Can Be Stopped. Accessed 01/29/2019. https://www.hrw.org/sites/default/files/report_pdf/cameroon0718_web2.pdf.
- 39 UN. Cameroon: Emergency Response Plan for the Northwest and Southwest Regions. New York, 2018. https://reliefweb.int/sites/reliefweb.int/files/resources/cmr_nw_sw_fa_2018-05_summary_v07_light_0.pdf.
- 40 International Crisis Group. Cameroon's Anglophone Crisis at the Crossroads. August 2, 2017: Africa Report N°250. https://d2071andvip0wj.cloudfront.net/250-camerouns-anglophone-crisis-at-the-crossroads_0.pdf.
- 41 Kindzeka, Moki Edwin. Cameroon School Set on Fire as Anglophone Strike Deepens. August 23, 2017. <https://www.voanews.com/a/cameroon-school-set-fire-anglophone-strike-deepens/3997440.html>.
- 42 Reuters. Boycott leads to heavy security in schools in Cameroon's Anglophone region. September 5, 2017. <http://www.africanews.com/2017/09/05/boycott-leads-to-heavy-security-in-schools-in-cameroon-s-anglophone-region/>.
- 43 Tih, Felix Nkambeh. Ghost town operations resume in West Cameroon. September 1, 2017. <http://aa.com.tr/en/africa/ghost-town-operations-resume-in-west-cameroon/723613>.
- 44 UN Security Council. Report of the Secretary-General on the situation in Central Africa and the activities of the United Nations Regional Office for Central Africa. May 31, 2017: S/2017/465. http://www.un.org/ga/search/view_doc.asp?symbol=S/2017/465.
- 45 Kindzeka, Moki Edwin. Cameroon Gripped By Second Teachers Strike. March 28, 2017. <http://www.voanews.com/a/cameroon-teachers-strike/3785249.html>.
- 46 Carsten, Paul. At least 15,000 Cameroonian refugees flee to Nigeria amid crackdown. January 11, 2018. <https://www.reuters.com/article/us-cameroon-separatists-nigeria/at-least-15000-cameroonian-refugees-flee-to-nigeria-amid-crackdown-idUSKBN1F0IQ6>.
- 47 Kindzeka, Moki. Cameroon Reopens Schools Threatened by Boko Haram. September 6, 2018. <https://www.voanews.com/a/cameroon-reopens-schools-threatened-by-boko-haram/4560529.html>.
- 48 U.S. Department of State. Country Reports on Human Rights Practices-2018: Cameroon. Washington, DC, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/cameroon/>.
- 49 Government of Cameroon. Labour Code Law N° 92/007 of 14 August 1992. Enacted: August 14, 1992. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/31629/64867/E92CMR01.htm>.
- 50 Government of Cameroon. Arrêté N° 17 du 27 mai 1969 relatif au travail des enfants. Enacted: May 27, 1969. <http://www.ilo.org/dyn/natlex/docs/SERIAL/17964/15795/F1498839332/CMR-17964.pdf>.
- 51 Government of Cameroon. Law N° 2016/007 of 12 Julil 2016 Relating to the Penal Code. Enacted: July 12, 2016. <http://www.wipo.int/edocs/lexdocs/laws/en/cm/cm014en.pdf>.
- 52 Government of Cameroon. Law N° 2011/024 of 14 December 2011 Relating to the Fight Against Trafficking in Persons and Slavery. Enacted: December 14, 2011. <http://www.justiceandpeaceamenda.org/attachments/article/24/THE+LAW+AGAINST+TRAFFICKING+IN+PERSONS+AND+SLAVERY.pdf>.
- 53 Government of Cameroon. LOI N°2010/012 DU 21 DECEMBRE 2010 RELATIVE A LA CYBERSECURITE ET LA CYBERCRIMINALITE AU CAMEROUN. Enacted: December 21, 2010. https://www.unodc.org/res/cld/document/cmr/2010/loi_sur_la_cybersecurite_et_la_cybercriminalite_html/Loi_2010-012_cybersecurite_cybercriminalite.pdf.
- 54 Government of Cameroon. Décret N° 2001/190 du 25 Juillet 2001 portant Statut particulier des personnels militaires non Officiers des Forces de Défense. Enacted: July 25, 2001 Source on file.
- 55 Government of Cameroon. Décret N° 2001/187 du 25 Juillet 2001 fixant les conditions de recrutement et d'admission dans les Ecoles Militaires de Formation des Officiers. Enacted: July 25, 2001. Source on file.
- 56 Government of Cameroon. Law N° 96-06 of 18 January 1996 to amend the Constitution of 2 June 1972. Enacted: January 18, 1996. http://www.icla.up.ac.za/images/constitutions/cameroon_constitution.pdf.
- 57 Government of Cameroon. LOI N°98/004 DU 4 AVRIL 1998 D'ORIENTATION DE L'EDUCATION AU CAMEROUN. Enacted: April 14, 1998. <http://www.unesco.org/education/edurights/media/docs/3fbc027088867a9096e8c86f0169d457b2ca7779.pdf>.
- 58 Government of Cameroon. Ratification with Declaration on the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict on March 4, 2013. Enacted: 2013. <https://treaties.un.org/doc/Publication/UNTS/No Volume/27531/A-27531-Cameroon-0800000280351c59.pdf>.
- 59 Government of Cameroon. Arrêté N° 082/PM du 27 août 2014 portant création, organisation et fonctionnement du comité national de lutte contre le travail des enfants. Enacted: August 27, 2014. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=96921.
- 60 U.S. Embassy- Yaoundé. Reporting, December 15, 2016.
- 61 Government of Cameroon, Ministry of Social Affairs. Inventory of Fixtures, Actions and Challenges. Source on file.
- 62 Government of Cameroon, Ministry of Social Affairs. Protection spéciale de l'enfance. Source on file.
- 63 U.S. Embassy- Yaoundé. Reporting, December 22, 2014.
- 64 U.S. Embassy- Yaoundé Official. Email communication to USDOL Official. May 4, 2018.
- 65 U.S. Embassy- Yaoundé official. Email communication to USDOL official. January 11, 2018.
- 66 CIA. The World Factbook. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2095rank.html>.
- 67 ILO. Strategies and practice for labour inspection. November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 68 UN. World Economic Situation and Prospects 2018 Statistical Annex. 2018. Please see "Labor Law Enforcement Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/WESP2018_Full_Web-1.pdf.
- 69 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Cameroon (ratification: 2001) Published: 2015. Accessed November 13, 2015. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3184639.
- 70 U.S. Embassy- Yaoundé official. Email communication to USDOL official. January 13, 2017.
- 71 VOA. Girl Suicide Bomber Kills 5 in Cameroon Mosque. Cameroon Tribune, September 13, 2017. Source on file. <https://www.voanews.com/a/girl-suicide-bomber-kills-five-cameroon-mosque/4027789.html>.
- 72 UNICEF. Silent Shame: Bringing out the voices of children caught in the Lake Chad crisis. April 12, 2017. https://www.unicef.org/wcaro/nigeria/crisis/UNICEF_Silent_shame.pdf.

Cameroon

MODERATE ADVANCEMENT

- 73 U.S. Embassy - Yaoundé. Email communication to USDOL official. April 12, 2019.
- 74 U.S. Embassy- Yaoundé. Reporting. October 25, 2017.
- 75 Child Soldiers International. Submission to the 75th pre-session of the Committee on the Rights of the Child: CAMEROON. August 2016. <https://www.child-soldiers.org/Handlers/Download.ashx?IDMF=19c99637-7122-4356-927e-4748db4d617f>.
- 76 Amnesty International. CAMEROON: RIGHT CAUSE, WRONG MEANS: HUMAN RIGHTS VIOLATED AND JUSTICE DENIED IN CAMEROON'S FIGHT AGAINST BOKO HARAM. July 14, 2016. <https://www.amnesty.org/en/documents/afr17/4260/2016/en/>.
- 77 Amnesty International. CAMEROON: HUMAN RIGHTS UNDER FIRE: ATTACKS AND VIOLATIONS IN CAMEROON'S STRUGGLE WITH BOKO HARAM. September 16, 2015. <https://www.amnesty.org/en/documents/afr17/1991/2015/en/>.
- 78 Amnesty International. AMNESTY INTERNATIONAL REPORT 2015/16: THE STATE OF THE WORLD'S HUMAN RIGHTS. February 23, 2016. <https://www.amnesty.org/en/documents/pol10/2552/2016/en/>.
- 79 Amnesty International. CAMEROON'S SECRET TORTURE CHAMBERS: HUMAN RIGHTS VIOLATIONS AND WAR CRIMES IN THE FIGHT AGAINST BOKO HARAM. July 20, 2017. <https://www.amnesty.org/en/documents/afr17/6536/2017/en/>. <https://www.amnesty.org/en/documents/afr17/6536/2017/en/>.
- 80 Sixtus, Mbom. Boko Haram Still a threat to refugees in Cameroon. January 11, 2017. <http://www.irinnews.org/feature/2017/01/11/boko-haram-still-threat-refugees-cameroon>.
- 81 UNICEF. Cameroon Humanitarian Situation Report. October 2018. https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF_Cameroon_Humanitarian_Situation_Report_-_October_2018.pdf.
- 82 Reuters. Cameroon arrests four soldiers suspected of executing women and children. July 19, 2018. <https://af.reuters.com/article/africaTech/idAFKBNIK91YM-OZATP>.
- 83 Amnesty International. Cameroon: Credible Evidence That Army Personnel Responsible For Shocking Extrajudicial Executions Caught On Video. Accessed January 30, 2019. <https://www.amnestyusa.org/press-releases/cameroon-credible-evidence-that-army-personnel-responsible-for-shocking-extrajudicial-executions-caught-on-video/>.
- 84 Mevengue, A. Lutte contre le Travail des enfants - La réponse nationale, Ministère du Travail et de la Sécurité Sociale. http://mintss.gov.cm/index.php?option=com_content&view=article&id=61&Itemid=243&lang=fr.
- 85 ILO-IPEC. Global Action Program on Child Labor Issues. April 2015: Technical Progress Report. Source on file.
- 86 U.S. Embassy- Yaoundé. Reporting. October 27, 2017.
- 87 U.S. Embassy- Yaoundé. Reporting. January 29, 2016.
- 88 Ministère de la Justice. NATIONAL PLAN OF ACTION FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN CAMEROON (2015–2019). December 2015. http://minjustice.gov.cm/pdf_download/droit_homme/plan_action/minjustice_national_plan_of_action_english_version.pdf.
- 89 Government of Cameroon, Ministry of Women's Empowerment and Family. National Gender Policy of Cameroon. 2015. <http://mudecgroup.org/?p=786>.
- 90 International Monetary Fund. Cameroon: Poverty Reduction Strategy Paper. August 2010: Project Document. <http://www.imf.org/external/pubs/ft/scr/2010/cr10257.pdf>.
- 91 UNICEF. Republic of Cameroon: Country programme document 2013–2017. 2012. http://www.unicef.org/about/execboard/files/2012-PL35_Cameroon_CPD-final_approved-English.pdf.
- 92 UNICEF. Cameroon: Humanitarian Situation Report. August 2017. https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF_Cameroon_Humanitarian_Sitrep_August_2017.pdf.
- 93 U.S. Embassy- Yaoundé. Reporting. March 11, 2019.
- 94 Hegba, Odilia. A Cash Transfer Program Improves the Lives of Cameroon's Poorest Families. March 3, 2016. <http://www.worldbank.org/en/news/feature/2016/03/03/a-cash-transfer-program-improves-the-lives-of-cameroots-poorest-families>.
- 95 U.S. Embassy- Yaoundé. Reporting. February 16, 2017.
- 96 U.S. Embassy - Yaoundé official. Email communication to USDOL official. July 11, 2019.
- 97 U.S. Embassy- Yaoundé official. Email communication to USDOL official. December 19, 2016.

In 2018, the Central African Republic made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Justice began drafting a law that will reinforce existing laws on the recruitment of children under the age of 18 by armed groups, and criminally prohibit recruitment by non-state groups. In addition, the government participated in the identification, removal, and referral to social services of more than 1,800 children associated with armed groups, hired additional labor inspectors, and provided some inspectors with child labor-specific training. However, children in the Central African Republic engage in the worst forms of child labor, including in diamond mining and armed conflict by non-state armed groups. Children also engage in child labor in agriculture and domestic work. An estimated 1.3 million children lacked access to education as a result of ongoing instability, and limited resources hampered the government's implementation of policies and programs to address child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Central African Republic (CAR) engage in the worst forms of child labor, including in diamond mining and armed conflict by non-state armed groups. Children also engage in child labor in agriculture and domestic work. (1-4,5) Table 1 provides key indicators on children's work and education in CAR.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	31.0 (373,742)
Attending School (%)	5 to 14	63.1
Combining Work and School (%)	7 to 14	28.0
Primary Completion Rate (%)		42.2

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4, 2010. (7)

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	Working in agriculture, activities unknown (5)
	Working in forestry, including carrying tools (8)
	Fishing, activities unknown (9)
Industry	Diamond and gold mining† (5,9-14)
	Working in sawmills, forges, and foundries, including sharpening sawblades and maintaining fires (8,9)
	Construction, activities unknown (9)
Services	Domestic work (5,14)
	Street work, including carrying heavy loads, garbage scavenging, and market vending (8,9)

Central African Republic

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced recruitment of children by non-state armed groups for use in armed conflict, including as combatants, cooks, porters, informants, concubines, domestic workers, and guards (5,14,15,35)
	Domestic work and working in agriculture, markets, and mining, including in diamond mines, each sometimes as a result of human trafficking (2,5,14,16-18)
	Forced labor of indigenous <i>Ba’aka</i> children in farming (2)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,5,14,16-21)

† 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.

Although the government worked with the UN Multidimensional Integrated Stabilization Mission in CAR (MINUSCA), UNICEF, and other partner agencies to demobilize and reintegrate children into community life, there were allegations of abuse and commercial sexual exploitation lodged against UN peacekeepers. (2-4,15,22-24) As of September 2018, approximately 643,000 people were displaced within CAR. (25)

The Ministry of Education has attempted to improve access to education by providing free school admission to children from camps for IDPs, waiving school exam fees for children affected by conflict, and expanding programs to provide birth registration, which may be required for school enrollment. (16,26-28) However, children continued to experience difficulties accessing education due to school fees, an absence of teachers, security concerns, destruction or looting of school materials and buildings by armed groups, and the unavailability of schools, especially in rural areas or IDP camps. (16,18,23,29-34) Fewer than three in five children in CAR complete primary education. (25) In 2018, at least 34 schools were direct targets of attacks, and in February 2018, 6 education workers were killed. (25,35) Forty schools were non-functional due to conflict, of which at least 28 were occupied by armed groups, peacekeeping troops, or IDPs. (3,4,13,30-32,36-40) Because the government exercises limited authority outside of Bangui, government-funded educational opportunities were not provided in rural areas. (5) The UN estimates that, in 2018, 1.3 million children lacked access to education, of which 280,000 school-aged children were displaced due to conflict. (40) During the reporting period, some civil society organizations reported that ethnic minority Muslims in the eastern region of the country were denied access to education. (5)

In 2018, the government, in conjunction with UNICEF and civil society organizations, identified and removed 1,816 children from armed conflict. However, during the reporting period, at least 299 children were recruited by non-state armed groups, some as young as 6 years old. (5,23,35,41)

II. LEGAL FRAMEWORK FOR CHILD LABOR

CAR 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 CAR's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Article 259 of the Labor Code (42)
Minimum Age for Hazardous Work	Yes	18	Article 263 of the Labor Code (42)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 261 and 262 of the Labor Code; Article 190 of the Mining Code (42,43)
Prohibition of Forced Labor	Yes		Article 7 of the Labor Code; Article 151 of the Penal Code (42,44)
Prohibition of Child Trafficking	Yes		Article 151 of the Penal Code (44)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 262 of the Labor Code; Articles 90–92 and 110–111 of the Penal Code (42,44)
Prohibition of Using Children in Illicit Activities	Yes		Article 262 of the Labor Code (42)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Decree N° 85.432; Declaration to the UN CRC Optional Protocol on Armed Conflict (45)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 22 of the Constitution; Articles 262 and 393 of the Labor Code (42,46)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 262 and 393 of the Labor Code; (42)
Compulsory Education Age	Yes	15	Ordinance N° 84/031 Orienting the Teaching System; Article 7 of the Constitution; Article 13 of Law N° 97/014 Orienting the Education System (46,47)
Free Public Education	Yes		Ordinance N° 84/031; Article 9 of the Constitution (46,47)

* No conscription (46,48)

In 2018, the Ministry of Justice began working on a draft law of the Child Protection Code, which will reinforce existing laws on the recruitment of children under age 18 by armed groups and forces, and criminally prohibit the recruitment of children by non-state actors. (49-51) This draft of the Child Protection Code is still pending adoption by the National Assembly. (28,52) Despite a 2016 study on hazardous work, CAR has not determined by national law or regulation the types of hazardous work prohibited for children. (42,53,54) Although the Labor Code prohibits work by children under age 14, the law does not apply to children outside of formal employment relationships, which does not conform to international standards that require all children be protected under the law establishing a minimum age for work. (42,55) 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.

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 Public Service, Modernization of Administration, Labor, Employment and Social Protection (MOL) that may hinder adequate enforcement of their child labor laws.

Central African Republic

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service, Modernization of Administration, Labor, Employment and Social Protection (MOL)	Monitors and enforces laws related to child labor. (9)
Ministry of the Promotion of Women, Family, and Protection of Children	Responsible for the enforcement of criminal laws against forced child labor. (5,28)
Internal Security Forces Police and Gendarmes	Enforces all laws, including those related to the worst forms of child labor. (55)
Ministry of Justice	Protects the rights of the child through its Rapid Response for Child Protection team and combats the worst forms of child labor through its courts and tribunals. (28,56)
Ministry of Social Affairs, Promotion of Gender, and Humanitarian Action (MSA)	Oversees child soldier issues and leads the government's anti-trafficking policy efforts through the National Council on Child Protection. Refers victims of child trafficking to NGOs and maintains an orphanage for children at risk of child trafficking. (56)
Special Criminal Court	Investigates serious human rights abuses committed since 2003, including the use of children in armed conflict. Hybrid court comprising international and national judges and prosecutors. (57,58)

Victims of child labor may be referred to the Ministry of the Promotion of Women, Family, and Protection of Children. (28) However, judicial authorities lacked the staff and resources to conduct investigations, and government authority was largely absent outside Bangui. (11,16,34,59,60) The Special Criminal Court held its inaugural session on October 22, 2018 and the Special Prosecutor has announced a prosecutorial strategy. (51) Cases were widely resolved outside of formal legal proceedings due to a lack of public trust, access, or knowledge about the justice system. (34,61-63)

Labor Law Enforcement

In 2018, labor law enforcement agencies in CAR took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including adequate financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (28)	Unknown (5)
Number of Labor Inspectors	Unknown (28)	53 (5)
Inspectorate Authorized to Assess Penalties	Yes (64)	Yes (5)
Initial Training for New Labor Inspectors	Unknown (28)	No (5)
Training on New Laws Related to Child Labor	N/A (28)	N/A (5)
Refresher Courses Provided	Unknown (28)	No (5)
Number of Labor Inspections Conducted	Unknown (28)	Unknown (5)
Number Conducted at Worksite	Unknown (28)	Unknown (5)
Number of Child Labor Violations Found	Unknown (28)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (28)	Unknown (5)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (28)	Unknown (5)
Routine Inspections Conducted	Unknown (28)	Yes (5)
Routine Inspections Targeted	Unknown (28)	No (5)
Unannounced Inspections Permitted	Yes (28)	Yes (5)
Unannounced Inspections Conducted	Unknown (28)	Yes (5)
Complaint Mechanism Exists	Yes (28)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (65)	Yes (5)

Research indicates that violations were common in all sectors of the economy; however, government efforts to combat child labor were hindered by a lack of labor inspectorate capacity and inadequate financial and material resources, including transportation, office facilities and supplies, and computers. (28,54,64,66,67) Although child labor violations may be reported in person to the labor inspectorate in Bangui, due to Decree No. 12.177 of 4 August 2012, regional inspection offices are no longer under the authority of the central labor inspectorate. Consequently, regional offices do not submit periodic reports on inspection activities as required under ILO C. 81. (64,68) In addition, due to civil unrest, many labor inspectors were unable to conduct inspections outside of Bangui, where many mining operations take place. Furthermore, labor inspections were only conducted in businesses within the formal sector, and did not target the informal sector, in which child labor is most prevalent. (5)

In 2018, the government hired 7 additional labor inspectors, bringing the total number of labor inspectors employed to 53. While five labor inspectors received child labor-specific training, newly hired labor inspectors did not receive any initial training. (5,23) While a complaint mechanism exists, in practice, during the reporting period, there was no evidence that the complaint mechanism for filing and responding to reports of child labor functioned. (5)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in CAR 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 insufficient human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (28)	Unknown (5)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (28)	N/A (5)
Refresher Courses Provided	Yes (55)	Unknown (5)
Number of Investigations	Unknown (28)	Unknown (5)
Number of Violations Found	3,105 (55)	Unknown (5)
Number of Prosecutions Initiated	Unknown (28)	Unknown (5)
Number of Convictions	Unknown (28)	Unknown (5)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (69)	Yes (5)

There is approximately only 1 police officer for every 1,300 Central Africans, and government authority is largely absent outside the capital. However, in 2018, with the support of MINUSCA, 500 police and gendarmes have been recruited and trained, thus increasing the number of the Internal Security Forces. (51,55,70) Government officials outside of the capital may lack the resources and knowledge to enforce the law, including lack of access to copies of relevant laws. (60) Research found evidence that law enforcement officers may subject children to violence during criminal investigations, which amounts to inhumane treatment. (18) In addition, there is evidence that children released from non-state armed groups are detained, interrogated by state law enforcement agencies, and denied access to humanitarian assistance and social services providers. (59) Furthermore, juvenile criminal offenders are regularly imprisoned with adults despite a 2016 decree that prohibits this practice, as no separate juvenile cells or juvenile prisons exist. (2,18,26) During the reporting period, eight children were detained for their alleged association with non-state armed groups. Seven of the children were eventually released, though one was still in police custody at the end of the reporting period. (35)

The MOL is supposed to work with other ministries and UNICEF to provide assistance to victims of child labor; however, due to a lack of resources, the government relies primarily on MINUSCA, NGOs, and UNICEF to provide social services to victims. (5,18,41,65) In 2018, UNICEF trained government officials on identification

Central African Republic

MODERATE ADVANCEMENT

and prevention of child trafficking. The trainings also included modules on how to handle victims of trafficking. (14) Although the government has referral mechanisms that enable enforcement authorities and social services to refer children found in child labor situations, due to limited resources the majority of cases were handled by NGOs. In 2018, civil society organizations and NGOs removed children from forced labor situations and provided social services for their rehabilitation, including enrollment in school or vocational training, and placement in stable homes. (5)

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 efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
Children Associated with Armed Forces or Groups (EAFGA)	Secures the release of children used in armed conflict and provides appropriate care with the support of UNICEF. (2,28) Research indicates that EAFGA was not active during the reporting period. (71)
Mixed Unit for Rapid Intervention and Repression of Sexual Violence (UMIRR)	Combats sexual violence against women and children. Comprising representatives from MSA, the Ministry of Justice, and law enforcement. (28) During the reporting period, UMIRR operated a 24-hour hotline to report cases, but did not provide statistics on the number of calls received. (72)

The government lacks a body designated to coordinate efforts related to all forms of child labor. Although the Inter-Ministerial Committee to Combat Human Trafficking still exists, it is no longer functional due to a lack of resources. (18,56)

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 coverage of all forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Child Disarmament, Demobilization, and Reintegration Policy (DDR)	Based on the Bangui Forum Agreement, this MSA policy aims to facilitate initiatives to disarm, demobilize, and reintegrate child soldiers, in cooperation with UN agencies, other ministries, and armed groups. (9,26,48,63,75) Through its National Strategy for Community-Based Reintegration of Children Formerly Associated with Armed Forces and Armed Groups, provides temporary care to children separated from armed groups and establishes Community Child Protection Networks (RECOPE) throughout the country. (27,75,76) In February 2018, the government, UN Multidimensional Integrated Stabilization Mission in CAR (MINUSCA), and UNICEF launched a 1-month campaign in Bangui against the recruitment of child soldiers. (77) In addition, on December 12, 2018, the government launched a DDR program in the northwest of the country, targeting ex-combatants, including former child soldiers. (51)
National Recovery and Peacebuilding Plan (RCPCA) (2017–2021)	Aims to re-establish peace and security, and support reconciliation by disarming and reintegrating children associated with armed groups, promoting legal reform, seeking justice for victims, and improving access to education. Aims to construct 218 schools and 1,200 school canteens, train 1,000 teachers, and distribute 150,000 school kits. (16,48) In November 2018, the RCPCA Permanent Secretariat organized several workshops to prepare the annual review of all the RCPCA Pillars. (51)
National Strategy for the Community-Based Reintegration of Children Associated with Armed Groups in CAR	Aims to coordinate the reintegration of ex-combatant children into communities as civilians and prevent re-recruitment by armed groups. (78) Between April and June 2018, 162 children, including 24 girls, were released by armed groups, including Anti-Balaka and Ex-Seleka militias. All children were received by a UNICEF partner agency before their reintegration. (79)

In May 2018, an Action Plan to end and prevent grave violations against children was signed between the United Nations and the *Mouvement Patriotique pour la Centrafrique (MPC)*, which is a party to the conflict. (80) The Action

Plan covers four areas for which MPC is listed, including, recruitment and use, killing and maiming, rape and other forms of sexual violence, and attacks on schools and hospitals. The MPC has appointed four commanders to serve as child protection focal points in areas under its control. (41,80) Although the Government of CAR has adopted the Bangui Forum Agreement, which seeks to address child soldiering, the Child Disarmament, Demobilization, and Reintegration Policy has yet to be fully implemented due to a lack of funding and ongoing instability. (3,81) During the reporting period, the Ministry for the Promotion of Women, Family, and Protection of Children, in partnership with United Nations Population Fund, the UNHCR, UNICEF, and UN Women, drafted a National Strategy to Fight Gender-Based Violence in CAR. Research was unable to determine whether the policy was finalized and adopted during the reporting period. (51) In addition, research found no evidence of a policy on other worst forms of child labor, and a draft of a national policy addressing the elimination of child labor has yet to be adopted. (53,56) Furthermore, the government has not included child labor elimination and prevention strategies in the National Strategy for the Education Sector (2008–2020). (82)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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

Table 10. Key Social Programs to Address Child Labor

Program	Description
Awareness-Raising Programs†	MOL program that aims to raise awareness of child labor and international conventions. (9,26,27) In 2018, MINUSCA trained 1,337 people on topics related to child protection. (5)
Shelters for Unaccompanied Children†	MSA and UNICEF-supported centers that provide immediate care, food, and psycho-social support to vulnerable children and former child soldiers. (2) Between January and November 2018, 73,846 children affected by conflict were able to continue schooling through the establishment of 296 temporary learning spaces. (83)
Education Programs	Programs to restore educational infrastructure. Includes: a \$23.4 million EU-funded Education Program to rehabilitate and equip more than 300 schools in 4 prefectures and the capital; a Bangui Ministry of Mines and Ministry of National Education and Scientific Research program to construct schools in mining zones; and UN Office for the Coordination of Humanitarian Affairs' Education Clusters, led by UNICEF and in collaboration with the Ministry of Education, to provide access to education in conflict-affected areas. (26-28,33,84-87) In 2018, UNICEF provided education assistance to 69,719 children in crisis-affected areas who were at risk for child labor exploitation. (5) In addition, during the reporting period, UNICEF, in conjunction with MINUSCA, supported the organization of the national baccalaureate exams. (15)
Birth Registration Campaign†	In support of the 2014 decree mandating free birth registration to children born during the 2012–2014 conflict, re-opens civil registration centers in areas affected by conflict and provides registration to children. (26) In 2018, although more than 7,000 birth certificates were issued by the courts, court clerks refused to print the certificates without additional payment. (23)

† Program is funded by the Government of CAR.

Although the government participates in a program that assists former child soldiers, coordination with non-government actors is weak and the scope of this program is insufficient to fully address the extent of the problem. (5,12,28,63,76) In May 2018, government officials participated in a workshop organized by the NGO Child Soldiers International to identify actionable steps to ensure that the government meets the requirements of the Optional Protocol to the Convention on the Rights of the Child. (50) The absence of resources and government authority throughout much of the country significantly hindered the government's ability to combat child labor, and research found no evidence that the government has programs to assist children engaged in other worst forms of child labor. (28)

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 CAR (Table 11).

Central African Republic

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are protected by law, including children working outside of formal employment relationships.	2017 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations, and ensure that the types of hazardous work prohibited for children are comprehensive.	2013 – 2018
	Publish the legal source that establishes a minimum age for voluntary military service.	2015 – 2018
Enforcement	Ensure that courts are allocated sufficient resources to be fully operational and that citizens can report violations and access formal judicial processes throughout the country.	2016 – 2018
	Publish information on the labor inspectorate's funding level; type of training provided to inspectors and investigators; and data related to enforcement efforts, including the number and type of investigations conducted, violations found, penalties imposed and collected, prosecutions initiated, and convictions obtained.	2014 – 2018
	Ensure that enforcement agencies have sufficient staff, resources, and funding to enforce laws related to child labor and provide services to victims throughout the country.	2009 – 2018
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2018
	Ensure that newly hired labor inspectors receive initial training.	2018
	Ensure that the complaint mechanism for filing and responding to reports of child labor functions in accordance with its mandate.	2018
	Ensure that children are not subject to violence during criminal investigations, are not kept in detention centers with adults, and are granted access to social services providers and humanitarian assistance when released from armed groups.	2016 – 2018
Coordination	Ensure that coordinating mechanisms are functional and establish coordinating mechanisms to combat all forms of child labor, including its worst forms.	2011 – 2018
Government Policies	Implement the established Child Disarmament, Demobilization, and Reintegration Policy and the National Recovery and Peacebuilding Plan related to child labor, including its worst forms.	2013 – 2018
	Adopt a policy that addresses all relevant worst forms of child labor.	2014 – 2018
	Integrate child labor elimination and prevention strategies into the National Strategy for the Education Sector.	2009 – 2018
Social Programs	Ensure that children affected by conflict are not subject to the worst forms of child labor by peacekeeping forces.	2016 – 2018
	Ensure that social programs to address child labor are implemented in accordance with their mandates.	2018
	Ensure that birth certificates issued by courts are delivered without additional payments required by court clerks.	2018
	Improve access to education for all children, including in rural areas, regardless of IDP status or religious affiliation, by eliminating school-related fees, making additional efforts to provide all children with birth registration, establishing an adequate number of teachers and classrooms throughout the country, and ensuring that schools are safe spaces and free from armed groups.	2009 – 2018
	Expand programs to assist former child combatants and children associated with armed groups, and improve coordination among relevant actors.	2013 – 2018
	Allocate sufficient resources and implement programs to address the worst forms of child labor throughout the country.	2009 – 2018

REFERENCES

- 1 U.S. Embassy- Bangui. Reporting, March 23, 2017.
- 2 U.S. Department of State. Trafficking in Person Report- 2017: Central African Republic. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/central-african-republic/>.
- 3 UN Security Council. Report of the Secretary-General on Children and Armed Conflict. August 24, 2017: Report No. A/72/361–S/2017/821. <http://undocs.org/en/S/2017/821>.
- 4 UN Security Council. Report of the Secretary-General on the situation in the Central African Republic. Geneva. June 2, 2017: Report No. S/2017/473. http://www.un.org/ga/search/view_doc.asp?symbol=S/2017/473.

Central African Republic

MODERATE ADVANCEMENT

- 5 U.S. Embassy- Bangui. Reporting. February 20, 2019.
- 6 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed January 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 7 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4, 2010. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 8 U.S. Embassy- Bangui official. Email communication to USDOL official. February 9, 2017.
- 9 U.S. Embassy- Bangui. Reporting. January 27, 2017.
- 10 Amnesty International. Chains of Abuse: The global diamond supply chain and the case of the Central African Republic. September 30, 2015. <https://www.amnesty.org/en/documents/afr19/2494/2015/en/>.
- 11 Amnesty International. Amnesty International Report 2015/16: The State of the World’s Human Rights. February 23, 2016. <https://www.amnesty.org/en/documents/pol10/2552/2016/en/>.
- 12 African Committee of Experts on the Rights and Welfare of the Child. Mission Report of the ACERWC to Assess the Situation of Children Affected by the Conflict in Central African Republic. Addis-Ababa, ACERWC. December 2014. <http://www.acerwc.org/?wpdmdl=9478>.
- 13 UN Security Council. Final report of the Panel of Experts on the Central African Republic extended pursuant to Security Council resolution 2339 (2017). December 6, 2017: S/2017/1023. http://www.un.org/ga/search/view_doc.asp?symbol=S/2017/1023.
- 14 U.S. Embassy- Bangui. Reporting. April 09, 2019.
- 15 UN Security Council. Report of the Secretary-General on the Central African Republic, 15 June-15 October 2018. October 15, 2018. <https://reliefweb.int/sites/reliefweb.int/files/resources/NI1830975.pdf>.
- 16 UN Committee on the Rights of the Child. Committee on the Rights of the Child Examines the Report of the Central African Republic. Geneva. January 20, 2017: Report No. CRC/C/SR.2171. [http://www.unog.ch/unog/website/news_media.nsf/\(httpNewsByYear_en\)/C077C21F39478306C12580AE004957F0?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/(httpNewsByYear_en)/C077C21F39478306C12580AE004957F0?OpenDocument).
- 17 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Central African Republic (ratification: 2000) Published: 2015. Accessed November 9, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3187463:NO.
- 18 UN Committee on the Rights of the Child. Concluding observations on the second periodic report of the Central African Republic. Geneva. March 8, 2017: Report No. CRC/C/CAF/CO/2. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/CAF/CO/2&Lang=en.
- 19 Fouchet, Antoine, and Laurent Larcher. L’armée française accusée de viol d’enfants en Centrafrique. May 3, 2015. <http://www.la-croix.com/Actualite/France/L-armee-francaise-accusee-de-viol-d-enfants-en-Centrafrique-2015-05-03-1308755>.
- 20 UN General Assembly. Special measures for protection from sexual exploitation and sexual abuse: Report of the Secretary-General. Geneva. February 16, 2016: Report No. A/70/729. <http://reliefweb.int/sites/reliefweb.int/files/resources/NI1604056.pdf>.
- 21 UN Committee on the Rights of the Child. List of issues in relation to the second periodic report of the Central African Republic. Geneva. July 19, 2016: Report No. CRC/C/CAF/Q/2. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/CAF/Q/2&Lang=en.
- 22 Besheer, Margaret. UN Chief to Visit Central African Republic. October 18, 2017. VOA. <https://www.voanews.com/a/un-chief-to-visit-central-african-republic/4076378.html>.
- 23 U.S. Department of State. Country Reports on Human Rights Practices - 2018: Central African Republic. Washington, DC. March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/central-african-republic/>.
- 24 UN MINUSCA. MINUSCA Takes Action on Reports of Sexual Abuse by Peacekeepers. October 5, 2018. <https://minusca.unmissions.org/en/minusca-takes-action-reports-sexual-abuse-peacekeepers>.
- 25 UNICEF. Crisis in the Central African Republic. November 2018. https://www.unicef.org/publications/files/UNICEF_Child_Alert_CAR_2018_EN.pdf.
- 26 Government of the Central African Republic. Reponses du Gouvernement Centrafricain aux Questions du Comité International des Droits de l’Enfant de Geneve. Bangui. October 2016. Source on file.
- 27 UN Committee on the Rights of the Child. List of issues in relation to the second periodic report of the Central African Republic: Addendum - Replies of the Central African Republic to the list of issues. Geneva. December 27, 2016: Report No. CRC/C/CAF/Q/2/Add.1. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/CAF/Q/2/Add.1&Lang=en.
- 28 U.S. Embassy- Bangui. Reporting. February 20, 2018.
- 29 Human Rights Watch. “They Said We Are Their Slaves”: Sexual Violence by Armed Groups in the Central African Republic. October 2017. https://www.hrw.org/sites/default/files/report_pdf/car1017_web_1.pdf.
- 30 Watchlist on Children and Armed Conflict. Élèves vulnérables, écoles en danger. New York. September 2015. https://www.crin.org/sites/default/files/fr2144-watchlist-car-exec-sum_lr.pdf.
- 31 Petesch, Carley. Armed groups occupy Central African Republic schools. March 23, 2017. Associated Press. <http://www.voanews.com/a/armed-group-central-african-republic/3778643.html>.
- 32 Human Rights Watch. No Class When Armed Groups Use Schools in the Central African Republic. 2017. https://www.hrw.org/sites/default/files/report_pdf/car0317_web.pdf.
- 33 Government of the Central African Republic. Plan de Transition 2014–2017: Ministre de l’Education Nationale et de L’Enseignement Technique. September 5, 2014. Source on file.
- 34 UN Office for the Coordination of Humanitarian Affairs. 2018: Aperçu des Besoins Humanitaires. November 2017. https://www.humanitarianresponse.info/system/files/documents/files/rca_ocha_2018_hno_0.pdf.
- 35 UN Security Council. Report of the Secretary-General on Children and armed conflict. June 20, 2020: Report No. S/2019/509. https://www.un.org/ga/search/view_doc.asp?symbol=S/2019/509&Lang=E&Area=UNDOC.
- 36 Schlein, Lisa. Central African Republic: Spike in Violence Causing Thousands to Flee. July 19, 2017. Voice of America. <http://allafrica.com/stories/201707190113.html>.

Central African Republic

MODERATE ADVANCEMENT

- 37 U.S. Department of State. Country Reports on Human Rights Practices- 2016: Central African Republic. Washington, DC. March 3, 2017.
<https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/central-african-republic/>.
- 38 République Centrafricaine Cluster Education. Education Cluster Assessment on the State of Education in Central African Republic: End of the First Semester. April 2015.
[http://reliefweb.int/sites/reliefweb.int/files/resources/car_ec_-_assessment_report_on_the_state_of_education_-_2015-04_\(1\).pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/car_ec_-_assessment_report_on_the_state_of_education_-_2015-04_(1).pdf).
- 39 Yéli Nde, Prince. Évaluation du Projet de Soutien au Redémarrage et au Suivi des Activités Éducatives en République Centrafricaine. October 2015. UNICEF.
http://www.unicef.org/evaldatabase/files/Rapport_Final_Evaluation_du_GPE_CAR-10-2015.pdf.
- 40 UN Office for the Coordination of Humanitarian Affairs. 2019: Aperçu des Besoins Humanitaires. October 2018.
https://reliefweb.int/sites/reliefweb.int/files/resources/rca_01112018_ocha_hno.pdf.
- 41 UN Security Council. Protecting Boys and Girls in Shrinking Humanitarian Space - UN Security Council Open Arria Meeting. February 21, 2019.
<https://childrenandarmedconflict.un.org/protecting-boys-and-girls-in-shrinking-humanitarian-space-un-security-council-open-arria-meeting/>.
- 42 Government of the Central African Republic. Code du Travail de la République Centrafricaine, Loi N° 09-004. Enacted: 2009.
[http://www.ilo.org/dyn/natlex/docs/SERIAL/81226/100656/F718299053/Code travail.pdf](http://www.ilo.org/dyn/natlex/docs/SERIAL/81226/100656/F718299053/Code%20travail.pdf).
- 43 Government of the Central African Republic. Loi N° 9-005 Portant Code Minier de la République Centrafricaine. Enacted: April 29, 2009.
http://www.droit-afrique.com/images/textes/RCA/RCA_-_Code_minier_2009.pdf.
- 44 Government of the Central African Republic. Code Penal de la République Centrafricaine, Loi N° 10.001. Enacted: 2010.
<http://www.wipo.int/edocs/lexdocs/laws/fr/cf/cf003fr.pdf>
- 45 UN Office of the High Commissioner of Human Rights, Status of Ratification Interactive Dashboard. Ratification of 18 International Human Rights Treaties. Accessed October 27, 2017.
<http://indicators.ohchr.org/>.
- 46 Government of the Central African Republic. Constitution de la République Centrafricaine. Enacted: March 30, 2016.
<https://www.sangonet.com/afriqg/PAFF/Dic/actuC/ActuC24/constitution-de-la-RCA-30mars2016-JO-ed-speciale.pdf>.
- 47 Benam, Edgar. Données de Base sur le Système Éducatif Centrafricain: Produites à la Demande du Bureau International d'Éducation. 1997. Ministère de l'Éducation Nationale Bangui.
<http://www.ibe.unesco.org/International/ICE/natrap/CenAfrica.pdf>.
- 48 Government of the Central African Republic. Central African Republic: National Recovery and Peacebuilding Plan (2017–21). Bangui. November 17, 2016.
https://eeas.europa.eu/sites/eeas/files/car_main_report-a4-english-web.pdf.
- 49 Child Soldiers International. Un Enfant N'est Pas Un Soldat! London. 2018. Source on file.
- 50 Child Soldiers International. Annual Report 2017-2018. July 2018.
<https://www.child-soldiers.org/Handlers/Download.ashx?IDMF=841fa200-9315-4e8a-9a6c-cdf63a0af22a>.
- 51 U.S. Embassy- Bangui official. Email communication to USDOL official. July 17, 2019.
- 52 Government of the Central African Republic. DRAFT: Loi Portant Code de Protection de l'Enfant en République Centrafricaine. 2013.
[http://tbinternet.ohchr.org/Treaties/CRC/Shared Documents/CAF/INT_CRC_ARL_CAF_26011_F.pdf](http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/CAF/INT_CRC_ARL_CAF_26011_F.pdf).
- 53 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Central African Republic (ratification: 2000) Published: 2018. Accessed July 18, 2018.
http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3336317,103381,Central African Republic,2017.
- 54 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Central African Republic (ratification: 2000) Published: 2015. Accessed November 9, 2015.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3187447:NO.
- 55 U.S. Embassy- Bangui. Reporting, March 2, 2018.
- 56 U.S. Embassy- Bangui official. Email communication to USDOL official. June 13, 2018.
- 57 Human Rights Watch. Central African Republic: Create Court to Combat Impunity. February 20, 2015.
<http://www.hrw.org/news/2015/02/20/central-african-republic-create-court-combat-impunity>.
- 58 Human Rights Watch. World Report: Central African Republic. January 2018.
<https://www.hrw.org/world-report/2018/country-chapters/central-african-republic>.
- 59 UN Human Rights Council. Report of the Independent expert on the situation of human rights in the Central African Republic - Note by the Secretariat. Geneva. July 22, 2016: Report No. A/HRC/33/63.
http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/33/63.
- 60 Kaine, F. Rapport de l'Atelier d'Évaluation du Document de Politique Nationale de Protection de l'Enfant. Bangui. December 6, 2016. Source on file.
- 61 U.S. Department of State. Trafficking in Persons Report- 2016: Central African Republic. Washington, DC. June 30, 2016.
<https://2009-2017.state.gov/j/tip/rls/tiprpt/countries/2016/258741.htm>.
- 62 Vinck, Patrick et al. Justice and Security Diagnostic: Bangui, Central African Republic. November 2017.
<https://www.americanbar.org/content/dam/aba/directories/roli/misc/aba-rol-car-bangui-diagnostic-report-0917.authcheckdam.pdf>.
- 63 UN Security Council. Report of the Secretary-General on Children and Armed Conflict in the Central African Republic. February 12, 2016: Report No. S/2016/133.
<http://www.un.org/Docs/journal/asp/ws.asp?m=S/2016/133>.
- 64 U.S. Embassy- Bangui official. Email communication to USDOL official. February 14, 2016.
- 65 U.S. Embassy- Bangui official. E-mail communication to USDOL official. April 19, 2017.
- 66 U.S. Embassy- Bangui. Reporting, February 3, 2016.
- 67 ILO Committee of Experts. Individual Observation concerning Labor Inspection Convention, 1947 (No. 81) Central African Republic (ratification: 1964). Published 2019. Accessed April 18, 2019.
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3951491.
- 68 ILO Committee of Experts. Individual Direct Request concerning Labor Inspection Convention, 1947 (No. 81) Central African Republic (ratification: 1964). Published 2019. Accessed April 18, 2019.
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3951499.
- 69 UN High Commissioner for Refugees. Procédures opérationnelles standardisées Monitoring de Protection. May 2013.
https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/sops_monitoring_de_protection_rca.pdf.

Central African Republic

MODERATE ADVANCEMENT

- 70 Mission Multidimensionnelle Intégrée de Stabilisation des Nations Unies en Centrafrique (MINUSCA). La RCA Redynamise les Effectifs de sa Police et de sa Gendarmerie. January 31, 2017. <https://minusca.unmissions.org/la-rca-redynamise-les-effectifs-de-sa-police-et-de-sa-gendarmerie>.
- 71 U.S. Embassy - Bangui official. E-mail communication to USDOL official. March 24, 2019.
- 72 U.S. Department of State. Trafficking in Persons Report - 2019: Central African Republic. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/central-african-republic/>.
- 73 UNICEF USA. We are children, not soldiers. Geneva. May 5, 2015. <http://www.unicefusa.org/stories/we-are-children-not-soldiers/24696>.
- 74 UN Human Rights Council. Report of the Independent Expert on the situation of human rights in the Central African Republic, Marie-Thérèse Keita Bocoum. Geneva. July 24, 2015: Report No. A/ HRC/30/59. <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session30/Pages/ListReports.aspx>.
- 75 Child Soldiers International. Des Milliers de vies à réparer - Les défis de la démobilisation et réintégration des enfants associés aux groupes armés en République centrafricaine. London. May 2016. <https://www.child-soldiers.org/shop/des-milliers-de-vies-rparer>.
- 76 Child Soldiers International. Briefing note on child recruitment and use in Central African Republic (CAR). March 14, 2016. <https://www.child-soldiers.org/shop/briefing-note-on-child-recruitment-and-use-in-central-african-republic-car>.
- 77 APA News. Central African Republic: A vast awareness-raising campaign on the recruitment of child soldiers. APA News. February 8, 2018. <http://apanews.net/index.php/fr/news/centrafrique-vaste-compagne-de-sensibilisation-sur-le-recrutement-des-enfants-soldats>.
- 78 Government of the Central African Republic. Stratégie Nationale pour la Réinsertion à Base Communautaire des Enfants ex-Associés aux Forces et Groupes Armés en République Centrafricaine (RCA). Bangui. January 2016. Source on file.
- 79 UN MINUSCA. Bulletin d'Information. April - June 2018. https://minusca.unmissions.org/sites/default/files/childprotection_bulletindinfo_00.pdf.
- 80 UN Security Council. Action Plan to Protect Children Signed in the Central African Republic. New York. June 14, 2018. <https://childrenandarmedconflict.un.org/action-plan-to-protect-children-signed-in-the-central-african-republic/>.
- 81 Olsson, Sandra. As CAR peace deal unravels, uncertainty looms for thousands of child soldiers. July 13, 2017. African Arguments. <http://africanarguments.org/2017/07/13/as-car-peace-deal-unravels-uncertainty-looms-for-thousands-of-child-soldiers/>.
- 82 Ministry of Education. Literacy, Higher Education and Research, Government of the Central African Republic. National Strategy of the Education Sector. Bangui. 2008. Source on file.
- 83 UNICEF. Humanitarian Situation Report. November 2018. https://www.unicef.org/appeals/files/UNICEF_Central_African_Republic_Humanitarian_Situation_Report_Nov_2018.pdf.
- 84 UNICEF. Central African Republic Humanitarian Situation Report. New York. December 2017. https://www.unicef.org/appeals/files/UNICEF_CAR_Humanitarian_SitRep_Dec_2017.pdf.
- 85 UN Office for the Coordination of Humanitarian Affairs. 2018 Plan de Réponse Humanitaire: Janvier-Décembre 2018. December 2017. https://www.humanitarianresponse.info/system/files/documents/files/rca_ocha_2018_hrp_0.pdf.
- 86 Diallo, A. Centrafrique: l'UNICEF et l'Union européenne s'engagent dans la réhabilitation des écoles et de la santé infantile. United Nations Radio. June 12, 2015. Source on file.
- 87 UNICEF. The UNICEF Response to the Crisis in the Central African Republic. New York. March 2016: Evaluation Report. http://www.unicef.org/evaldatabase/files/CAR_UNICEF_Eval_Final_English_LR_2016-002.pdf.

In 2018, Chad made a moderate advancement in efforts to eliminate the worst forms of child labor. In March 2018, the Government of Chad ratified an ordinance prohibiting trafficking in persons and sent three labor inspectors to attend a 45-day refresher training at the ILO-accredited African Regional Center for Labor Administration in Cameroon. The government also launched the Refugees and Host Communities Support Project, which aims to improve access to health and education services for refugees, including children engaged in the worst forms of child labor. However, children in Chad engage in the worst forms of child labor, including forced labor in cattle herding and domestic work, each sometimes as a result of human trafficking. The country's legal framework does not contain criminal penalties for the use of children in illicit activities, and austerity measures imposed in 2016 continue to limit government funding for efforts to combat child labor. The government does not collect data on law enforcement efforts and has no active policies for relevant sectors of child labor, such as commercial sexual exploitation, and forced labor in domestic work and herding cattle.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Chad engage in the worst forms of child labor, including forced labor in cattle herding and domestic work, each sometimes as a result of human trafficking. (1-5) Table 1 provides key indicators on children's work and education in Chad.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	48.8 (Unavailable)
Attending School (%)	5 to 14	49.5
Combining Work and School (%)	7 to 14	28.4
Primary Completion Rate (%)		41.8

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey, 2014–2015. (7)

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	Cultivating and harvesting crops, including rice and corn (4)
	Collecting and chopping wood (1,2)
	Production of charcoal (4)
	Herding cattle (3,4,8)
	Fishing, including catching, smoking, and selling fish (4)
Industry	Brick making and building walls (2)
	Carpentry (4)
	Gold mining† (4)
	Working in auto repair shops (4)
Services	Domestic work (1,2,4,5)
	Working in restaurants as barmaids and servers (4)
	Street work, including vending, garbage scavenging, and carrying heavy loads† (2,4,9)
	Begging† (4,5)

Chad

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3) Forced labor in agriculture, begging, cattle herding, domestic work, fishing, and street vending, each sometimes as a result of human trafficking (1,3,5)

† 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.

Child trafficking occurs primarily in Chad for the purposes of forced labor in cattle herding, domestic work, and commercial sexual exploitation. Boko Haram may be responsible for some child trafficking in Chad, and refugee children from the Central African Republic are particularly vulnerable to commercial sexual exploitation. (3,4) In isolated incidents, boys may be forced to herd cattle for military or government officials. (3) Domestically, boys may be sent to Koranic schools to receive an education, but they are forced to beg and then surrender the money they receive to their teachers. (3-5)

The Constitution and the Law Orienting the Education System mandate free and compulsory education in Chad. (10,11) However, there is a lack of schools, classrooms, and teachers throughout the country. (4,12,13) Some schools do not offer all grade levels, and parents are often required to pay for school-related fees. (4,12) In 2018, a 3-month teacher strike due to non-payment of wages significantly disrupted the school year. (4,14,15) In addition, birth certificates may be required for enrollment in school, but only 12 percent of children nationwide are registered at birth, with some areas experiencing birth registration rates as low as 5 percent. (4,16)

Government resources for addressing social issues continued to be limited during the reporting period due to Chad’s continuing economic crisis, large refugee population, and security spending. (4,17)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Chad 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 Chad’s legal framework to adequately protect children from the worst forms of child labor, including the use of children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 52 of the Labor Code; Article 1 of the Decree Relating to Child Labor (18,19)
Minimum Age for Hazardous Work	Yes	18	Articles 6–7 of the Decree Relating to Child Labor (18)

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

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 6 and 10 of the Decree Relating to Child Labor; Articles 5, 19, and 22 of the President's Ordinance on Trafficking in Persons (18,20)
Prohibition of Forced Labor	Yes		Article 20 of the Constitution; Chapter 1, Article 5 of the Labor Code; Articles 5 and 15 of the President's Ordinance on Trafficking in Persons; Articles 292(e), 292(c), 327, 328, and 331 of the Penal Code (11,19-21)
Prohibition of Child Trafficking	Yes		Articles 3, 5, 6.2, and 7.1 of the President's Ordinance on Trafficking in Persons; Articles 10, 330, and 331 of the Penal Code (20,21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 335 and 336.a of the Penal Code; Articles 81–85 of the Law on Cyber Security and Fight Against Cyber Criminality; Articles 5, 16, and 22 of the President's Ordinance on Trafficking in Persons; Articles 362 and 364 of the Penal Code (20-22)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 32 of the Law on the Organization of the Armed Forces; Article 1 of the Ordinance Prohibiting the Use of Children in Armed Conflict; Article 52 of Military Statute N° 006/PR/06; Article 5 of the President's Ordinance on Trafficking in Persons; Articles 10, 286 (cc), 288 (g), and 370 of the Penal Code (20,21,23-25)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 32 of the Law on the Organization of the Armed Forces; Article 22 of the African Charter on the Rights and Welfare of the Child; Article 5, 18, and 22 of the President's Ordinance on Trafficking in Persons; Articles 10, 286 (cc), 288 (g), and 370 of the Penal Code (20,21,23,26)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 1 of the Ordinance Prohibiting the Use of Children in Armed Conflict; Articles 5, 18, and 22 of the President's Ordinance on Trafficking in Persons; Articles 10, 286 (cc), 288 (g), and 370 of the Penal Code (20,21,24)
Compulsory Education Age	Yes	16‡	Articles 21, 23, 25, and 28 of the Law Orienting the Education System; Article 35 of the Constitution (10,11)
Free Public Education	Yes		Article 9 of the Law Orienting the Education System; Article 35 of the Constitution (10,11)

‡ Age calculated based on available information (10)

In March 2018, the Government of Chad issued an Ordinance prohibiting trafficking in persons, which was ratified into law in June. (20,27) Several laws are still awaiting approval by the National Assembly, including the Child Protection Code, Labor Code, and Family Code, which contain additional provisions criminalizing child trafficking and extending protection to children working in the informal sector. (4,5,8,28,29)

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. (8,10,19)

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 authority of the Ministry of Public Service, Employment, and Social Dialogue that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service, Employment, and Social Dialogue (MOPS)	Drafts and implements child labor laws. (4,12) Includes a directorate and specific point of contact to assist in coordinating child protection and human trafficking issues. (4)
Ministry of Justice, Human Rights, and Guardian of the Seal (MOJ)	Drafts and enforces laws and coordinates efforts to protect human rights. Through its Directorate for Protection and Legal Monitoring of Children, enforces child labor laws. (4)

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
National Police	Enforce and investigate criminal laws against the worst forms of child labor, including child trafficking, and refer them to other ministries as appropriate. (3,4) Through its Child Protection Brigade, work in collaboration with the MWCPNS, MOPS, and MOJ to specifically monitor violations of children's rights. Active in six cities: N'Djamena, Moundou, Sarh, Mongo, Mao, and Abéché. (4)
Ministry of Women, Childhood Protection and National Solidarity (MWCPNS)	Protects children's rights, provides temporary shelter to victims, and assists with reintegration when appropriate. Through its Child Protection Directorate, leads government efforts on child protection, including from child labor; and liaises with the Child Protection Directorate at the MOJ. (4,17)

Research indicates that the Child Protection Brigade within the National Police is not well known by the public, thus limiting its impact. (30)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Chad took actions to combat child labor.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (30)	Unknown (4)
Number of Labor Inspectors	30 (30)	30 (4)
Inspectorate Authorized to Assess Penalties	No (19)	No (4)
Initial Training for New Labor Inspectors	No (30)	No (4)
Training on New Laws Related to Child Labor	No (30)	No (4)
Refresher Courses Provided	No (30)	Yes (4)
Number of Labor Inspections Conducted	Unknown (30)	Unknown (4)
Number Conducted at Worksite	Unknown (30)	Unknown (4)
Number of Child Labor Violations Found	Unknown (30)	Unknown (4)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (30)	Unknown (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (30)	Unknown (4)
Routine Inspections Conducted	Unknown (30)	Unknown (4)
Routine Inspections Targeted	Unknown (30)	Unknown (4)
Unannounced Inspections Permitted	Unknown (30)	Unknown (4)
Unannounced Inspections Conducted	Unknown (30)	Unknown (4)
Complaint Mechanism Exists	Yes (30)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (30)	Yes (4)

In 2018, three labor inspectors attended a 45-day refresher training at the ILO-accredited African Regional Center for Labor Administration in Yaoundé, Cameroon. (4)

In addition to 30 inspectors, the government employs 50 labor controllers who assist labor inspectors. Although a hiring freeze has prevented any new labor inspectors from joining the Labor Inspectorate, 12 trainees from the National Administration School are scheduled to graduate in 2020. (4) However, the number of labor inspectors is likely insufficient for the size of Chad's workforce, which includes approximately 5.6 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Chad would employ about 140 labor inspectors. (5,31,32) In addition, the government did not provide information on its labor law enforcement efforts for inclusion in this report.

Continued austerity measures limited funding and affected inspectors' ability to conduct inspections. (3,4) Inspectors lack sufficient resources, including transportation, to conduct investigations outside the city in which they are based. (4,12) Research indicates that the informal sector, in which the majority of children work, is largely unmonitored. (5,12)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Chad 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 financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (30)	No (17)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (30)	No (17)
Refresher Courses Provided	Unknown (30)	No (17)
Number of Investigations	Unknown (30)	Unknown (4)
Number of Violations Found	Unknown (30)	2 (3)
Number of Prosecutions Initiated	Unknown (30)	Unknown (4)
Number of Convictions	Unknown (30)	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (30)	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (30)	Yes (3)

In July 2018, Chad's Minister of Justice issued a directive to all prosecutors and attorneys general to proactively enforce the new Ordinance on Trafficking in Persons. (33) The government also issued a press release to the public advertising the new Ordinance on Trafficking in Persons and increased border patrols, and enforced a requirement that children travelling unaccompanied by their parents must have authorization from a competent authority. As a result, approximately 30 children were identified and reunited with their families. (33) Two cases of child trafficking are currently being investigated. However, because knowledge of the new law is uneven within the judiciary and enforcement agencies, some perpetrators of human trafficking were released. (17,33,34) Furthermore, child victims may be detained with their traffickers due to a lack of available service providers. (34) The government did not provide information on its criminal law enforcement efforts for inclusion in this report because it does not maintain a centralized electronic system. (4)

Civil society organizations typically assist with providing temporary shelter, legal assistance, and family reintegration services; they also track prosecutions and convictions. (4) A lack of infrastructure, erratic and insufficient funding allocations, and under-enforcement of existing penalties also pose barriers to enforcement. (4,12,17) Prolonged strikes during the reporting period also affected the judicial system's ability to function. (3,14)

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 funding and efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Working Group on the Worst Forms of Child Labor	Coordinates government efforts on child trafficking, including providing training, conducting awareness-raising activities, and strengthening the network of government organizations that address human trafficking. Chaired by the MWFNS Child Protection Directorate and includes representatives from four other ministries, including MOPS. (30) In 2018, met regularly and supported the work of the Child Protection Brigade, including by purchasing beds for children removed from abusive situations. (34)
MWFNS's Regional Child Protection Committees	Coordinate regional government efforts to address the worst forms of child labor and refer victims as appropriate. (3,17) Includes representatives from relevant ministries, police, and civil society. (17) In 2018, facilitated the placement of child victims in safe spaces. (34)

In January 2019, the Minister of Justice authorized the creation of a technical committee to create a national action plan to combat trafficking in persons, in accordance with the Ordinance on Trafficking in Persons. (17) Research was unable to determine whether existing coordination bodies were active during the reporting period.

Chad

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 funding and implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
Five-Year Plan for Development (2017–2021)	Ministry of Economy and Development Planning policy which aims to conduct a survey on child labor every 3 years, increase the rate of birth registrations, increase educational opportunities, and strengthen the human and financial capacity of the MOPS's directorate charged with combating the worst forms of child labor. (34,35)
Vision 2030	Ministry of Economy and Development Planning policy which aims to increase educational opportunities, establish social protection policies, and implement a national employment policy with a youth focus. (36)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (4,37,38)

The Ministry of Justice drafted an Action Plan for 2019 to publicize the Ordinance on Trafficking in Persons, which focuses on training members of the courts, local authorities, traditional and religious leaders, members of civil society, and members of enforcement agencies. (33) Research was unable to determine whether existing policies were implemented during the reporting period and found no evidence of a policy on relevant forms of child labor, such as commercial sexual exploitation, forced labor in domestic work, and herding cattle.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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

Table 10. Key Social Programs to Address Child Labor

Program	Description
World Bank-Funded Projects	Projects which aim to improve access to basic services and improve safety nets. Includes: Safety Nets Project (2016–2020), a \$10 million project which provides conditional cash transfers and cash-to-work programs; Refugees and Host Communities Support (2018–2023),* a \$60 million project to improve access to health and education services for refugees and host communities by rehabilitating and constructing primary schools; and the Education Sector Reform Project Phase 2 (2013–2020), a \$65 million project to improve education conditions in primary and secondary schools. (39–42) By the end of 2018, the Safety Nets Project provided on-time cash transfers to 6,200 households, and the Education Sector Reform Project provided training to 9,000 teachers and extended coverage throughout all of the country. (43,44)
Reception Centers†	Run by MWFNS with the assistance of UNICEF and local NGOs; centers located throughout the country provide temporary assistance to victims of child trafficking, including food, education, medical and psychological care, and reintegration services. (3,4) The National Solidarity Fund, maintained by the Prime Minister's Office, funds temporary shelter or reunification assistance for victims. (45) Child Protection Directorates at various ministries and the Child Protection Brigade work together to provide support and reintegration services to victims of exploitation. (4) Shelters continued to provide victim services during the reporting period. (4)
UNDAF (2017–2021)	Aims to provide access to quality education for children who are school age, refugees, and vulnerable, and to improve social protection and promote good governance. (46) As of August 2018, the government, in cooperation with UNHCR, issued 28,500 birth certificates to refugees, internally displaced persons, returnees, and community members living around refugee camps. (12)
WFP Strategic Plan (2019–2023)*	\$1.3 billion program funded by the WFP to improve food security and educational outcomes. Aims to provide technical assistance to the Ministry of Education and distribute school lunches to crisis-affected areas and cash to girls who are attending school. (47)

* Program was launched during the reporting period.

† Program is funded by the Government of Chad.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (17)

The government's funding to social programs continued to be limited due to austerity measures during the reporting period, and social services are limited to urban areas. (3,4) Although Chad has programs that target child

labor, the scope of these programs is insufficient to adequately address the extent of the problem, particularly the use of forced child labor in herding cattle, domestic work, and commercial sexual exploitation. (48)

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 Chad (Table II).

Table II. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws specifically prohibit children from being used, offered, or procured for illicit activities.	2011 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Ensure that the roles of enforcement agencies are well known and understood by the public, that law enforcement agencies receive sufficient resources to carry out their mandate, and that children are not detained with alleged perpetrators due to a lack of available service providers.	2016 – 2018
	Strengthen the Labor Inspectorate by authorizing inspectors to assess penalties, ensuring inspectors are authorized to conduct unannounced inspections, and by providing sufficient resources to conduct inspections in both the formal and informal sectors and to prosecute offenders.	2014 – 2018
	Institutionalize training for labor inspectors and criminal law investigators, including at the beginning of labor inspectors' employment, and ensure that criminal investigators receive regular refresher courses and training on new laws related to child labor.	2014 – 2018
	Collect data on law enforcement efforts and publish information about Labor Inspectorate funding, the number and type of inspections conducted, whether violations were found, penalties imposed and fees collected, and the number of criminal investigations conducted, prosecutions initiated, and convictions obtained.	2014 – 2018
	Significantly increase the number of labor inspectors to meet the ILO technical advice.	2012 – 2018
	Ensure that penalties are enforced according to the law.	2015 – 2018
Coordination	Ensure that coordinating committees receive adequate resources to meet and carry out their mandates to coordinate efforts and respond to child labor issues.	2014 – 2018
Government Policies	Adopt a policy to combat all relevant worst forms of child labor in Chad and ensure that existing policies are implemented.	2009 – 2018
Social Programs	Ensure access to education for all children by eliminating school-related fees and paying teacher salaries; ensure that schools are safe spaces; and increase the number of schools, grade levels, classrooms, and teachers available throughout the country, including for children in refugee camps.	2014 – 2018
	Make additional efforts to provide all children with birth certificates, as they may be required for school enrollment.	2014 – 2018
	Ensure that existing programs receive adequate funding and can support victims of child labor throughout the country.	2016 – 2018
	Establish or expand programs to provide services to children engaged in the worst forms of child labor, such as the use of forced child labor in herding cattle, domestic work, and commercial sexual exploitation.	2009 – 2018

REFERENCES

- Sufi, Qasim. Chad Human Trafficking Challenge: IOM Report. June 10, 2014. <https://www.iom.int/news/chad-human-trafficking-challenge-iom-report>.
- Redmond, Ron. La faim, et des choix difficiles, pour les réfugiés luttant pour leur survie en Afrique. July 1, 2014. <http://www.unhcr.org/fr/news/stories/2014/7/53b2cadcf/faim-choix-difficiles-refugies-luttant-survie-afrique.html>.
- U.S. Department of State. Trafficking in Persons Report-2018: Chad. Washington, DC: June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/chad/>.
- U.S. Embassy-N'Djamena. Reporting, January 7, 2019.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Chad (ratification: 2000). Published 2018. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3339122:NO.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.

MODERATE ADVANCEMENT

- 7 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey, 2014-2015. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 8 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Chad (Ratification: 2005). Published: 2018.
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3338745:NO.
- 9 Daniel, Jules. Tchad: Ces enfants qui ne vivent que de la poubelle. July 10, 2016.
<http://tchadinfos.com/tchad/tchad-ces-enfants-qui-ne-vivent-que-de-la-poubelle/>.
- 10 Government of the Republic of Chad. Orientation du système éducatif Tchadien, Loi N° 016/PR/06. Enacted: March 13, 2006.
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/79409/85373/F-30051095/TCD-79409.pdf>.
- 11 Government of the Republic of Chad. Constitution, Loi N° 05-008 2005-07-15 PR. Enacted: March 31, 1996.
<http://www.wipo.int/edocs/lexdocs/laws/fr/td/td001fr.pdf>.
- 12 U.S. Department of State. Country Reports on Human Rights Practices-2018: Chad. Washington, DC: March 13, 2019.
<https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/chad/>.
- 13 UN Office for the Coordination of Humanitarian Affairs. Humanitarian Bulletin Chad, Issue 05. August 31, 2016.
<http://reliefweb.int/report/chad/humanitarian-bulletin-chad-issue-05-august-2016>.
- 14 Amnesty International. Amnesty International Report 2017/18: The State of the World’s Human Rights. Chad. London: 2018.
<https://www.amnesty.org/download/Documents/POL1067002018ENGLISH.PDF>.
- 15 News 24. Chad public sector back to work after seven-week strike. March 20, 2018.
<https://www.news24.com/Africa/News/chad-public-sector-back-to-work-after-seven-week-strike-20180320>.
- 16 Tchadinfos. Tchad: faible déclaration de naissances 12% seulement. February 13, 2017.
<http://tchadinfos.com/tchad/tchad-faible-declaration-de-naissances-12-seulement/>.
- 17 U.S. Embassy-N’Djamena. Reporting, February 12, 2019.
- 18 Government of the Republic of Chad. PR-MT JS-DTMOPS du février 1969 relatif au travail des enfants, Décret N° 55. Enacted: 1969. Source on file.
- 19 Government of the Republic of Chad. Code du Travail, Loi N° 038/PR/96. Enacted: December 11, 1996.
<http://www.droit-afrique.com/images/textes/Tchad/Tchad - Code du travail.pdf>.
- 20 Government of the Republic of Chad. Ordonnance N° 006/PR/2018 Portant Lutte Contre la Traite des Personnes en République du Tchad. Enacted: March 30, 2018. Source on file.
- 21 Government of the Republic of Chad. Loi N° 001/PR/2017 Portant Code Pénal. Enacted: May 8, 2017. Source on file.
- 22 Government of the Republic of Chad. Loi N° 009/PR/2015 portant sur la cybersécurité et la lutte contre la cybercriminalité. Enacted: February 10, 2015. Source on file.
- 23 Government of the Republic of Chad. Loi N° 06-012 2006-03-10 PR portant réorganisation des Forces Armées et de Sécurité. Enacted: March 10, 2006. Source on file.
- 24 Government of the Republic of Chad. Ordonnance N° 001/PR/2014 Portant Interdiction et Répression de l’Enrôlement et de l’utilisation des enfants dans les conflits armés. Enacted: January 27, 2014. Source on file.
- 25 Government of the Republic of Chad. Statut general des militaires, Loi N° 006/PR/92. Enacted: April 28, 1992. Source on file.
- 26 Government of the Republic of Chad. African Charter on the Rights and Welfare of the Child. Enacted: March 20, 2000.
http://www.achpr.org/files/instruments/child/achpr_instr_charterchild_eng.pdf.
- 27 Government of Chad. Loi No. 012/PR/2018 Portant Ratification de l’Ordonnance No. 006/PR/2018 du 30 Mars 2018, portant lutte contre la traite des personnes en Republique du Tchad. June 20, 2018. Source on file.
- 28 Government of the Republic of Chad. DRAFT Loi Portant Code de Protection de l’Enfant. 2014. Source on file.
- 29 Child Soldiers International. Concerns about Chad’s child protection record one year after delisting. July 28, 2015.
<https://www.child-soldiers.org/shop/concerns-about-chads-child-protection-record-one-year-after-delisting-1>.
- 30 U.S. Embassy- N’Djamena. Reporting. January 23, 2018.
- 31 CIA. The World Factbook. Accessed January 19, 2018. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
<https://www.cia.gov/library/publications/the-world-factbook/rankorder/2095rank.html>.
- 32 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York: 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 33 Ministère des affaires étrangères, de l’intégration africaine, de la coopération internationale et de la diaspora de la République du Tchad. Official Communication to U.S. Embassy N’Djamena Official. February 8, 2019. Source on file.
- 34 U.S. Embassy- N’Djamena. Email communication with USDOL Official. May 22, 2019.
- 35 Government of the Republic of Chad. Plan Quinquennal (PQ) 2016–2020. N’Djamena: November 2016. Source on file.
- 36 Prime Minister and Ministry of the Economy and Development Planning. Vision 2030, the Chad We Want. July 2017.
<http://www.pnd-tchad.org/wp-content/uploads/2017/08/VISION-2030-ANGLAIS.pdf>.
- 37 UN Secretary-General. Children and armed conflict: Report of the Secretary-General. May 15, 2014.
<http://reliefweb.int/sites/reliefweb.int/files/resources/NI1431583.pdf>.
- 38 Government of Cameroon, Government of Central African Republic, Government of Chad, Government of Nigeria, Government of Niger, and Government of Sudan. Ending Recruitment and Use of Children by Armed Forces and Groups: Contributing to Peace, Justice and Development: N’Djamena. June 7-9, 2010.
https://www.unicef.org/protection/files/DDR_Conference_Declarations_de_NDjamena.pdf.
- 39 World Bank. Project Appraisal Document on a Proposed Grant of US\$60 Million to the Republic of Chad for a Refugees and Host Communities Support Project. August 21, 2018.
<http://documents.worldbank.org/curated/en/658761536982256019/pdf/PAD2809-PAD-PUBLIC-disclosed-9-12-2018-IDA-R2018-0286-1.pdf>.
- 40 The World Bank. Project Appraisal Document on a Proposed Grant in the Amount of US\$5.0 Million and a Proposed Adaptive Safety Net Multi-donor Trust Fund Grant in the Amount US\$5.0 Million to the Republic of Chad. August 9, 2016.
<http://documents.worldbank.org/curated/en/221251471265217930/pdf/Project-Appraisal-Documents-PAD-disclosable-version-P156479-08122016.pdf>.
- 41 World Bank. Project Appraisal Document on a Proposed Grant in the Amount of US\$15 Million to the Republic Of Chad for an Education Sector Reform Project Phase II. May 28, 2013.
<http://documents.worldbank.org/curated/en/538831468010906215/pdf/79500PAD0P132010Box377322B00OU090.pdf>.

- 42 World Bank. Project Paper on a Proposed Additional Grant and Restructuring in the Amount of US\$50 Million to the Republic Of Chad for an Education Sector Reform Project Phase II. June 2, 2016. <http://documents.worldbank.org/curated/en/939181503667960554/pdf/Chad-Project-Paper-2-06062017.pdf>.
- 43 World Bank. Chad Safety Nets Project Implementation Status & Results Report. December 19, 2018. <http://documents.worldbank.org/curated/en/832031545216753166/pdf/Dislosable-Version-of-the-ISR-Chad-Safety-Nets-Project-PI56479-Sequence-No-05.pdf>.
- 44 World Bank. Chad Education Sector Reform Project Phase 2 Implementation Status & Results Report. December 30, 2018. <http://documents.worldbank.org/curated/en/340441546211870934/pdf/Dislosable-Version-of-the-ISR-Chad-Education-Sector-Reform-Project-Phase-2-PI32617-Sequence-No-11.pdf>.
- 45 U.S. Embassy- N'Djamena. Reporting. February 14, 2018.
- 46 UN. Plan cadre des Nations Unies d'Assistance au Développement (UNDAF) 2017-2021. 2017. https://undg.org/country-detail/?country_code=TD.
- 47 World Food Program. Draft Chad country strategic plan (2019–2023). Rome: November 26–30, 2018 <https://docs.wfp.org/api/documents/6ddef21988944069ae3d908a9cec1d20/download/>.
- 48 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Chad (ratification: 2000) Published: 2014. Accessed December 31, 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3190954:NO.

In 2018, Chile made a moderate advancement in efforts to eliminate the worst forms of child labor. The government passed a law creating the Office for the Rights of Children, which is charged with disseminating, promoting, and protecting the rights of children and adolescents. The newly established Undersecretary for Childhood, whose designated objectives include ensuring the rights of children and adolescents and coordinating the provision of services, also created a new National Plan of Action for Children and Adolescents. In addition, the Ministry of Justice and Human Rights created Chile's first National Human Rights Plan, which includes plans to complete and publish the results of an update to the 2012 child labor survey. However, children in Chile engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in construction. Although the government made meaningful efforts in all relevant areas during the reporting period, prohibitions related to forced labor do not meet international standards. In addition, there is a lack of publicly available enforcement information, including the number of criminal investigations and prosecutions related to the worst forms of child labor.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Chile engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1,2-3) The results of the 2012 National Survey on Activities of Children and Adolescents (*Encuesta de Actividades de Niños, Niñas y Adolescentes*) indicate that 70.6 percent of working children ages 5 to 17 are engaged in work classified as dangerous. (4,2) The Ministry of Social Development, Ministry of Labor and Social Welfare, ILO, and UNICEF are currently conducting a new Survey of Activities of Children and Adolescents, an update of the 2012 survey, and expects to publish results in 2020. (3,5) This survey will be more comprehensive in coverage than that of 2012, as it will look at child labor at the regional and sectoral levels, focusing on hazardous work, adolescent workers, and domestic work. The budget for the survey is nearly ten times that of the previous survey. (5) Table I provides key indicators on children's work and education in Chile.



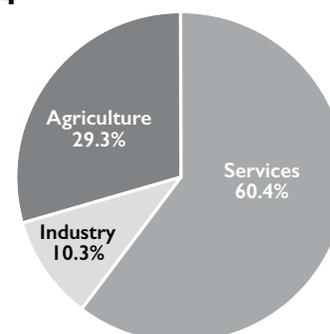
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.8 (94,025)
Attending School (%)	5 to 14	99.5
Combining Work and School (%)	7 to 14	4.5
Primary Completion Rate (%)		92.8

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from *Encuesta de Actividades de Niños, Niñas y Adolescentes* Survey, 2012. (7)

Figure I. Working Children by Sector, Ages 5-14



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	Planting, harvesting, and fumigating crops (8)
	Livestock rearing and raising farm animals (2,9)

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Agriculture	Forestry,† activities unknown (2,9)
	Hunting,† activities unknown (2,9)
	Fishing,† activities unknown (2, 8-11)
Industry	Construction,† bricklaying†, auto repair, and carpentry† (2,9,7,10)
Services	Making garments (13,14)
	Domestic work, including cleaning and babysitting (15,2,9,8,16)
	Working in retail, hospitality, corner stores, offices, restaurants, and bars† (10,11,13,17,18)
	Garbage collection† and street cleaning (11)
Categorical Worst Forms of Child Labor‡	Street work,† including street vending and guarding and washing cars (8,10,13,16)
	Use in illicit activities, including in the production, selling, and distribution of drugs, sometimes as a result of human trafficking (1-19,15,9,3,11,13,21,22)
	Forced labor in agriculture, mining, construction, street vending, domestic work, and garment and hospitality sectors, each sometimes as a result of human trafficking (1,9,13,17)
	Commercial sexual exploitation, including in the production of pornography, sometimes as a result of human trafficking (15,4,9,3,11,13,17,21)

† 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.

In Chile, children are subjected to human trafficking for commercial sexual exploitation and domestic work. (9,3,13) Children, some of whom may be trafficking victims, are also used to steal, or to produce, sell, and transport drugs near the borders of Peru and Bolivia. (9,3,13) In 2018, the National Minors’ Service (SENAME) identified 1,459 children and adolescents who were victims of commercial sexual exploitation. Among those children, approximately 90 percent were girls and 10 percent were boys. (3) According to SENAME’s Worst Forms of Child Labor Registry, during the reporting period 231 children were involved in the production and trafficking of drugs. (3)

Indigenous children and adolescents from Otavalo, Ecuador, are especially vulnerable to human trafficking for labor exploitation in Chile. (20,17) Children are also involved in street work, especially in Santiago, including selling handicrafts, clothes, or other goods. (13,23,24) In Coquimbo, children sell products in street markets and work as jugglers. (10)

In Chile, education is compulsory through secondary school; however, some educational barriers do exist, including the lack of transportation to school in rural areas. (3,5)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Chile 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 Chile's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of forced labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 13 of the Labor Code (25)
Minimum Age for Hazardous Work	Yes	18	Articles 13–14 and 18 of the Labor Code (25)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 14–18 of the Labor Code; Article 1 of Law No. 20.539; Article 3 of Supreme Decree 2 (25-27)
Prohibition of Forced Labor	No		Article 19 of the Constitution; Article 2 of the Labor Code; Article 41 I of the Penal Code; Law 20.507 (25,28-30)
Prohibition of Child Trafficking	Yes		Article 41 I of the Penal Code (29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 367 and 41 I of the Penal Code; Law No. 20.594; Law No. 20.526 (29,31,32)
Prohibition of Using Children in Illicit Activities	Yes		Paragraph 1, Article 5 and Paragraph 2, Article 19 of Law No. 20.000; Law No. 20.084 (33,34)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Chapter 1, Article 13 of the Armed Forces Recruitment and Mobilization Law No. 2.306 (35)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Chapter 1, Article 13 of the Armed Forces Recruitment and Mobilization Law No. 2.306 (35)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 26 of Law No. 20.357 (36)
Compulsory Education Age	Yes	18‡	Articles 4, 25, and 27 of the General Education Law No. 20.370 (5)
Free Public Education	Yes		Article 4 of the General Education Law No. 20.370 (5)

‡ Age calculated based on available information (5)

In 2018, the Ministry of Labor and Social Welfare began drafting a bill that would increase penalties for child labor violations, including hazardous work violations. (3,37) However, Chilean laws related to forced labor are not sufficient because they do not criminally prohibit forced labor except when it results from human trafficking. (29,37) In addition, as Chile's minimum age for work is lower than the age for compulsory education, children may be encouraged to leave school before the completion of compulsory education. (5,25)

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 National Labor Directorate 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 Social Welfare (MINTRAB)	Designs and implements national strategies on child labor and generates public awareness of child labor and the commercial sexual exploitation of children. (4,38) The National Labor Directorate and its specialized support unit, the Child Labor Program Office (PCTI), functioning in parallel with the MINTRAB, enforce child labor laws. (3,17) In early 2019, MINTRAB passed an administrative regulation to elevate the PCTI to a department-level entity. This changes the program's legal character from provisional to fully established, allowing it to more adequately combat child labor by developing short and long-term department goals and activities, and establishing clear management and operating procedures. (37)
National Minors' Service (SENAME)	Coordinates the provision of services to vulnerable children in collaboration with Rights Protection Offices. (39,40) Operates under the Ministry of Justice. (17)
National Investigations Police (PDI)	Investigates and prevents the worst forms of child labor by conducting community outreach activities, including trainings and information sessions. (41) Operate under the Ministry of the Interior. (17) Within the PDI, sex crime brigades look specifically for the commercial sexual exploitation of children (CSEC). (41)

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
National Uniformed Police (<i>Carabineros</i>)	Investigates, prevents, and detects crimes, including child labor violations, by conducting community policing and specialized investigations. The Directorate for Family Protection provides specialized orientation on policies and operating plans for detection and prevention of domestic violence and child abuse, including the commercial sexual exploitation of children. (21) Operates under the Ministry of the Interior. (17) Receives referrals on the worst forms of child labor from the National Labor Directorate. (3)
National Prosecutor's Office (<i>Fiscalía Nacional</i>)	Investigates and prosecutes crimes, including those involving commercial sexual exploitation and the trafficking of children. Trains and coordinates with interagency partners, including the PDI, <i>Carabineros</i> , and regional and local prosecutor's offices. (3,42,43)
Rights Protection Offices (<i>Oficinas de Protección de Derechos</i>)	Refers cases of children whose rights have been violated to appropriate social services, and monitors and raises awareness of the worst forms of child labor. Located in municipalities throughout the country and part of a social protection network overseen by SENAME. (44)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Chile took actions to combat child labor (Table 6). However, gaps exist within the operations of the National Labor Directorate that may hinder adequate labor law enforcement, including financial and human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$32,562,017 (11)	\$34,397,410 (3)
Number of Labor Inspectors	579 (11)	495 (3)
Inspectorate Authorized to Assess Penalties	Yes (11)	Yes (3)
Initial Training for New Labor Inspectors	Yes (11)	Yes (3)
Training on New Laws Related to Child Labor	Yes (11)	N/A (3)
Refresher Courses Provided	Yes (11)	No (3)
Number of Labor Inspections Conducted	102,865 (11)	90,523 (3)
Number Conducted at Worksite	102,865 (11)	90,523 (3)
Number of Child Labor Violations Found	396 (11)	288 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	396 (11)	288 (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	128 (3)
Routine Inspections Conducted	Yes (11)	Yes (3)
Routine Inspections Targeted	No (11)	Yes (3)
Unannounced Inspections Permitted	Yes (11)	Yes (3)
Unannounced Inspections Conducted	Yes (11)	Yes (3)
Complaint Mechanism Exists	Yes (11)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (3)

The number of vehicles available to labor inspectors is insufficient, especially in areas where distances between regional offices and employers can be great. (11) The number of labor inspectors is also likely insufficient for the size of Chile's workforce, which includes nearly 9 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Chile would employ about 592 inspectors. (45)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Chile 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 penalties for promoting or facilitating the commercial sexual exploitation of children.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (46)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (11)	Yes (3)
Number of Investigations	32 (11)	29† (47)
Number of Violations Found	415 (22)	731 (47)
Number of Prosecutions Initiated	32 (11)	29† (47)
Number of Convictions	23 (11)	10 (47)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (11)	Yes (3,47)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (3)

† The National Prosecutor's database does not differentiate between investigations and prosecutions.

In 2018, the National Minor's Service (SENAME) reported that 819 children and adolescents were identified in the Worst Forms of Child Labor Registry, which collects information from the National Uniformed Police (*Carabineros*), the Labor Directorate, and the SENAME network. Of those, 252 were cases children used by adults for illicit activities. (13)

During the reporting period, the National Office of the Public Ministry (*Ministerio Publico*) developed a new Protocol for the Investigation of Crimes related to the Commercial Sexual Exploitation of Children and Adolescents, including the investigation of crimes under the trafficking in persons statute. This internal protocol will serve as a tool for prosecutors and attorney advisers. (13) In addition, the Public Ministry (*Ministerio Publico*) held several trainings throughout the year for prosecutors and regional police on human trafficking and migrant smuggling laws and victim assistance. (13) In 2018, the Ministry of Labor and Social Welfare (MINTRAB) used the Child Labor Risk Identification Model developed by the ILO and the Economic Commission for Latin America and the Caribbean (CEPAL) to inform its operations and inspections on child labor. (37,45) When an inspection uncovers a case of the worst forms of child labor, the National Labor Directorate immediately notifies the *Carabineros* who will open a criminal investigation in coordination with the National Prosecutor's Office. (3) The National Prosecutor's database does not differentiate between investigations and prosecutions. (47)

During the reporting period, 2 individuals were convicted of trafficking a minor and were sentenced to 10 years of effective jail time and fined approximately \$7,340 each. (47) However, the penalties for promoting or facilitating the commercial sexual exploitation of children, ranging from 3 to 5 years imprisonment, are not commensurate with those for other serious crimes, such as rape. (9) Additionally, judges frequently suspend or commute sentences of individuals convicted of commercial sexual exploitation of children. (9)

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 efforts to address child labor, including a lack of information on activities taken under each coordinating mechanism during the reporting period.

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

Coordinating Body	Role & Description
National Advisory Committee to Eradicate Child Labor	Oversees implementation of the National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers (2015–2025) and formulated with the Social Observatory to Eradicate Child Labor. (21) Led by MINTRAB and includes representatives from the Ministries of Agriculture, Education, and Justice; the National Statistics Institute; the National Tourism Service; SENAME; PDI; and the <i>Carabineros</i> . (48) The government did not provide information on activities of this committee for inclusion in this report.
Regional Advisory Committees for the Eradication of Child Labor and the Protection of Adolescent Workers	Led by the Regional Secretary of Labor and replicates at the regional level the functioning of the National Advisory Committee to Eradicate Child Labor. (17) MINTRAB continued to provide technical assistance to the regional committees during the reporting period. (3) The government did not provide information on activities of these committees for inclusion in this report.

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
Worst Forms of Child Labor (WFCL) Task Force	Oversees the WFCL Registry, which tracks incidents of the worst forms of child labor and provides information on programs designed to assist child workers. Compiles data in the WFCL Registry and presents it to the National Advisory Committee to Eradicate Child Labor and other government stakeholders. (21) The government did not provide information on activities of this committee for inclusion in this report.
Social Observatory to Eradicate Child Labor	Located under MINTRAB's Child Labor Unit and established by Decree No. 131, conducts technical studies on child and adolescent labor issues and evaluates current policies to eliminate child labor. (19,49) In 2018, the Observatory worked on a Roadmap on Child Labor, which was released in early 2019, and includes the goal of ending all forms of child labor in Chile by 2025. (37,50)
Undersecretary for Childhood*	Established in April 2018 and located under the Ministry of Social Development. Will replace the National Council for Children in 2019. Coordinates the development and implementation of public policies and programs to protect children, namely the Subsystem of Integral Protection of Children <i>Chile Crece Contigo</i> program. (3,51,52) Tasked with enacting the proposed National Policy on Children and developing coordination mechanisms for inter-agency work. (3,51,52)
National Council for Children	Managed by the Ministry General Secretariat of the Presidency, integrated efforts across government agencies to uphold the rights of the child at the national, regional, and local levels. (53) Will be replaced by the Undersecretary for Childhood in 2019. (3)
Office for the Rights of Children*	Created in July 2018 and promotes compliance with the Convention on the Rights of the Child and other international conventions ratified by Chile related to children's rights. (3,54,55)
Inter-agency Task Force on Trafficking in Persons (MITP)	Coordinates the government's anti-human trafficking efforts. Led by the Ministry of the Interior with support from law enforcement agencies, the Ministry of Foreign Relations, the Ministry of Justice, the National Prosecutor's Office, SENAME, and others. (3) Met twice during the reporting period and following an egregious case of human trafficking in the Punta Arenas Province, MITP reported that it is re-activating its regional Punta Arenas task force which was previously defunct due to a lack of cases. (13)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established relevant policies related to child labor (Table 9). However, gaps exist that hinder efforts to address child labor, including a lack of information on activities taken under each policy during the reporting period.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers (2015–2025)	Establishes a strategy to eradicate child labor by (1) combining efforts across national and regional agencies and private and public entities and (2) requiring regions to establish a strategy to address child labor issues in the area. (56) The MINTRAB oversees the implementation of regional strategies, including the design and implementation of regional operating plans. (21) Remained active in 2018. (3,37)
National Plan of Action for Children and Adolescents (2018–2025)†	Created by the new Undersecretary for Childhood, the Action Plan works to consolidate, monitor, and improve all public initiatives that protect the rights of children and adolescents. (3,37,57) Among the Plan's many objectives is the increased coordination of and strengthening of the National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers (2015–2025), including expanding programs that help families at risk of child labor find employment so that their children will be less likely to work. (37,54,57) MINTRAB participates and provides information and guidance regarding child labor. (58,59)
Third Action Plan against the Commercial Sexual Exploitation of Children and Adolescents (2017–2019)	Creates cooperation mechanisms for private and public institutions to collaborate on preventing and detecting commercial sexual exploitation of children and providing social services and rights restitution to victims. (60,61) The government did not provide information on activities taken under this plan for inclusion in this report.
Anti-Trafficking National Action Plan (2019–2022)†	Seeks to prevent and combat human trafficking, with a focus on women and children. Encompasses four strategic areas: (1) prevention and awareness raising, (2) prosecution, (3) victims' assistance and protection, and (4) inter-institutional cooperation and coordination. (14) The MITP began updating the Action Plan during the reporting period and published the plan in 2019. (16,47,62) The plan focuses on complex human trafficking issues, including partnerships with public policy offices, re-integration of victims into society, post-catastrophe situations, and support for victims whose traffickers were prosecuted under laws not specific to human trafficking. (13,47)

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
Inter-Agency Protocol on Assistance for Trafficking-in-Persons Victims	Creates a system to register, monitor, and assist victims of human trafficking. (63) Coordinated by the Undersecretariat for Crime Prevention and Citizen Security at the Ministry of the Interior. (64) In 2018, provided victims with safe housing, health and psychological services, legal assistance and representation, and support to regularize their migratory status. (13)
Chilean Ministry of the Interior and Public Security and U.S. Department of Homeland Security Joint Statement on Trafficking in Persons	Signed in 2015 by Chile and the United States. Seeks to enhance collaboration and information exchanges between enforcement agencies on combating human trafficking and protecting vulnerable populations. (65) The government did not provide information on activities taken to implement this policy for inclusion in this report.
National Action Plan on Business and Human Rights	Fosters respect for human rights in business, prevents potential negative impacts of business on human rights, promotes human rights due diligence within business operations and supply chains, strengthens remedial mechanisms, and contributes to the fulfillment of the 2030 Agenda for Sustainable Development. (66) The General Directorate of International Economic Relations (DIRECON), located within the Ministry of Foreign Affairs, acts as the chair for the implementation of the plan. In 2018, DIRECON organized a seminar to review and document the work completed under this Plan. (67)
First National Human Rights Plan†	Adopted in 2018 by the Undersecretary of Human Rights, the plan is a holistic approach to improving human rights in Chile, including by addressing child labor and violence against children. (68,69)

† 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. (70,71)

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 that hinder efforts to address child labor, including a lack of information on activities taken under each social program during the reporting period.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Walking Together for the Eradication of Child Labor (2017–2019)†	Aims to strengthen the employability of family members and guardians of children and adolescents who are at-risk for child labor. Includes job training and assistance with job search. (72) Led by MINTRAB in collaboration with the Catholic Church and implemented in Maipú, Quilicura, Quinta Normal, and in the metropolitan region of Santiago. (72) Program remained active in 2018 and continued to register households with children at risk of child labor. (73-75)
Regional Action Group for the Americas†	Conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in the tourism sector in Latin America. Administered in Chile by the National Tourism Service. (4) The government did not provide information on activities taken under this social program for inclusion in this report.
SENAME Programs for Children at Risk of or Engaged in the Worst Forms of Child Labor†	Approximately 132 programs serving disadvantaged youth and children at risk of or engaged in the worst forms of child labor, including commercial sexual exploitation. Includes programs implemented by municipal governments and local branches of the Office for the Protection of Children's Rights (OPCR). (19,39,64) Through these programs in 2018, SENAME held several awareness-raising workshops, trainings, and events on child labor in regions throughout Chile, including the commemoration of World Day Against Child Labor. (76-83)
Employability of Families of Working Children and Adolescents*†	Created by the Undersecretary of Labor and fully implemented in 2018, the program seeks to help find work for family members of children and adolescents who are working or at risk of working and provide support and information on the negative effects of child labor. (3,84,85) Began as a pilot project in 2017 and received USD \$235,407 in financial support by MINTRAB in 2018. (3,84)
Here I am and I act (<i>Aquí Estoy y Actuo</i>)	Led by <i>Fundación Telefónica</i> and MINTRAB under the fifth principle of the UN Global Pact to help businesses contribute to the eradication of child labor in supply chains. Implemented by 17 businesses, this program feeds into the National Strategy for the Eradication of Child Labor. (86,87) The government did not provide information on activities take under this social program for inclusion in this report.
Programs on Commercial Sexual Exploitation of Children (CSEC)†	Administered by the SENAME, includes 18 programs and 1 residential center to serve victims of commercial sexual exploitation. (64) The Child Labor Survey on commercial sexual exploitation is a collaboration of the government and ILO to collect data on CSEC from police and other governmental agencies. (15,4) In 2018, a total of 1,459 children were assisted through these programs. (13)

MODERATE ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Indigenous Language Sector Program (<i>Sector de la Lengua Indígena</i>)†	Ministry of Education program that seeks to increase the quality of education available to indigenous children. (88) The government did not provide information on activities taken under this social program for inclusion in this report.

*Program was launched during the reporting period.

† Program is funded by the Government of Chile.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (39,89-91)

Walking Together for the Eradication of Child Labor officially ended in February 2019 and MINTRAB is looking for funds to restart the program and expand it to a nationwide effort. (37)

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 Chile (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Criminally prohibit forced labor.	2016 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Ensure that inspectors receive sufficient resources, such as vehicles, to carry out their duties.	2016 – 2018
	Increase the number of labor inspectors responsible for enforcing laws on child labor to meet the ILO's technical advice and ensure that inspectors receive refresher training courses.	2018
	Ensure that penalties for promoting or facilitating the commercial sexual exploitation of children are commensurate with those for other serious crimes and that judges do not suspend or commute such sentences.	2016 – 2018
Coordination	Ensure that each coordinating government body conducts activities relevant to the protection of children against child labor, including in its worst forms.	2018
Policies	Ensure that activities are carried out under all policies relevant to the protection of children against commercial sexual exploitation and human trafficking.	2018
Social Programs	Ensure that educational barriers, such as the lack of transportation to school in rural areas, are addressed to prevent child labor.	2018
	Ensure that activities are carried out under all social programs relevant to child labor.	2018

REFERENCES

- ILO Committee of Experts. Individual Direct Request Concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Chile (ratification: 2000) Published: 2015. Accessed February 8, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3183493:NO.
- Government of Chile- ILO. Magnitud y Características del Trabajo Infantil en Chile. 2013. http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_23635/lang-es/index.htm.
- U.S. Embassy- Santiago. Reporting. February 15, 2019.
- Government of Chile. Responses of Chile. Submitted in response to USDOL Federal Register Notice "Request for Information on Child Labor and Forced Labor." Santiago. January 28, 2014 Source on file.
- Government of Chile. Ley General de Educación, Ley Núm. 20.370. Enacted: 2009. Source on file.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 2018. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/index.aspx?queryid=160>.
- UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. January 12, 2018. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Government of Chile. Estudio Cualitativo sobre Trabajo Infantil y Población Migrante. Resumen Ejecutivo. January 2018. Source on file.
- U.S. Department of State. Trafficking in Persons Report- 2018: Chile. June 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/chile/>.
- Luengo, Rebeca. Agricultura y pesca son las principales actividades en que se concentra el trabajo infantil. June 14, 2017. Diario el Día. <http://www.diarioeldia.cl/region/coquimbo/agricultura-pesca-son-principales-actividades-en-que-se-concentra-trabajo-infantil>.
- U.S. Embassy- Santiago. Reporting. January 24, 2018.
- U.S. Department of State. Country Reports on Human Rights Practices- 2016: Chile. Washington, DC. March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/chile/>.
- U.S. Embassy- Santiago. Reporting. March 5, 2019.
- Mesa Intersectorial sobre Trata de Personas. Plan de Acción Nacional contra la Trata de Personas 2015-2018. <http://tratadepersonas.subinterior.gov.cl/media/2015/12/Plan-de-Accion-contra-la-Trata-de-Personas-2015-2018.pdf>.

- 15 Government of Chile, Fiscalía Nacional. Responses of Chile: Request of Information on Child Labor and Forced Labor- USDOL. January 28, 2014. Source on file.
- 16 U.S. Department of State. Trafficking in Person Report- 2019: Chile. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report/chile/>.
- 17 U.S. Embassy- Santiago. Reporting, January 31, 2017.
- 18 U.S. Embassy- Santiago official. Email communication to USDOL official. February 7, 2017.
- 19 U.S. Embassy- Santiago. Reporting, January 15, 2015.
- 20 U.S. Embassy- Santiago. Reporting, March 5, 2015.
- 21 U.S. Embassy- Santiago official. Email communication to USDOL official. April 20, 2017.
- 22 U.S. Embassy- Santiago. TIP reporting, February 13, 2018.
- 23 Government of Chile- SENAME. Boletín Temático Niños/as y Adolescentes Primer Trimestre 2014. 2014. http://www.sename.cl/wsename/otros/bestnacionales/2014/TEMATICO_201409.pdf.
- 24 Government of Chile- SENAME. Boletín Temático Niños/as y Adolescentes Tercer Trimestre 2014. 2014. http://www.sename.cl/wsename/otros/bestnacionales/2014/TEMATICO_201403.pdf.
- 25 Government of Chile. Código del Trabajo de Chile. Enacted: 2002. <http://bit.ly/zrXHdz>.
- 26 Government of Chile. Ley Núm. 20.539. Enacted: 2011. Source on file.
- 27 Government of Chile. Actualiza Reglamento para la Aplicación del Artículo 13 del Código de Trabajo, Decreto Supremo No. 2. Enacted: 2017. <https://www.leychile.cl/Navegar?idNorma=1103381>.
- 28 Government of Chile. Constitución Política de 1980 incluidas las Reformas hasta el 2005. Enacted: 2005. <http://pdba.georgetown.edu/Constitutions/Chile/chile05.html>.
- 29 Government of Chile. Código Penal de la República de Chile. Enacted: 1875. <http://www.leychile.cl/Navegar?idNorma=1984>.
- 30 Government of Chile. Delitos de Tráfico Ilícito de Inmigrantes y Trata de Personas, Ley 20.507. Enacted: 2011. Source on file.
- 31 Government of Chile. Sanciona el acoso sexual de menores, la pornografía infantil virtual y la posesión de material pornográfico infantil, Ley Núm. 20.526. Enacted: 2011. <http://bit.ly/wDxXeE>.
- 32 Government of Chile. Crea Inhabilidades para Condenado por Delitos Sexuales contra Menores y Establece Registro de Dichas Inhabilidades Ley Núm 20.594. Enacted: 2012. <http://www.leychile.cl/Navegar?idNorma=1041136>.
- 33 Government of Chile. Sustituye la Ley Núm 19.366 que sanciona el tráfico ilícito de estupefacientes y sustancias sicotrópicas, Ley Núm 20.000. Enacted: 2005. <http://bit.ly/xN08YQ>.
- 34 Government of Chile. Establece un Sistema de Responsabilidad de los Adolescentes por Infracciones a la Ley Penal, Ley Núm. 20.084. Enacted: 2005. <http://bcn.cl/4tx0>.
- 35 Government of Chile. Dicta Normas Sobre Reclutamiento y Movilización de las Fuerzas Armadas, Decreto Ley Núm 2.306. Enacted: 1978. http://www.dgmn.cl/transparencia/leyes_dgmn/nuevas/D.Ley.2.306.Dicta.normas.sobre.reclutamiento.pdf.
- 36 Government of Chile. Law 20.357. Enacted: June 26, 2009. Source on file.
- 37 Government of Chile. Ministry of Labor Official Interview with USDOL Official. March 13, 2019.
- 38 Government of Chile, Ministerio del Trabajo y Previsión Social. MINTRAB Summary. 2014. <http://www.mintrab.gob.cl/trabajo-infantil/>.
- 39 U.S. Embassy- Santiago. Reporting, February 7, 2014.
- 40 Government of Chile, Servicio Nacional de Menores. Nuestra Institución. 2014. <http://www.sename.cl/web/nuestra-institucion/>.
- 41 Policía de Investigaciones de Chile. Departamento de Apoyo y Acción Comunitaria (DACOM) PDI Chile. 2014. Source on file.
- 42 Fiscalía Nacional. Quienes Somos, La Fiscalía de Chile. April 27, 2016. <http://www.fiscaliadechile.cl/Fiscalia/quienes/index.jsp>.
- 43 Fiscalía Nacional. Unidad Especializada de Delitos Sexuales y Violencia Intrafamiliar, La Fiscalía de Chile. April 27, 2016. <http://www.fiscaliadechile.cl/Fiscalia/areas/sex-unidad.jsp>.
- 44 Government of Chile. Bases Técnicas _Oficinas de Protección de Derechos del Niño, Niña y Adolescentes 2012 - 2015. January 2013. http://www.sename.cl/wsename/otros/bases_tecnicas_prevenion.pdf.
- 45 CIA. The World Factbook. Accessed April 16, 2019. <https://www.cia.gov/library/publications/the-world-factbook/>.
- 46 U.S. Embassy- Santiago official. Email communication to USDOL official. April 4, 2018.
- 47 U.S. Embassy- Santiago official. Email communication to USDOL official. July 1, 2019.
- 48 Government of Chile, Ministerio del Trabajo y Previsión Social. Comité Asesor para la Erradicación del Trabajo Infantil y la Protección del Menor Trabajador. 2014. Source on file.
- 49 Government of Chile, Ministerio del Trabajo y Previsión Social. Observatorio Social. 2014. Source on file.
- 50 Government of Chile. Declaración Hoja de Ruta 2019-2021. 2019. Source on File.
- 51 Government of Chile. Ley 21.090 Crea la subsecretaría de la niñez, modifica la ley 20.530. Enacted: April 4, 2018. <https://www.leychile.cl/Navegar?idNorma=1117540>.
- 52 Microjuris. Ley No. 21.090 crea la Subsecretaría de la Niñez. April 18, 2018. <https://aldiachile.microjuris.com/2018/04/18/ley-no-21-090-crea-la-subsecretaria-de-la-ninez/>.
- 53 U.S. Embassy- Santiago. Reporting, January 27, 2016.
- 54 Government of Chile. Se promulga Ley que crea Defensoría de los Derechos de la Niñez. January 22, 2018. <http://www.ministeriodesarrollosocial.gob.cl/noticias/se-promulga-ley-que-crea-defensoria-de-los-derechos-de-la-ninez>.
- 55 Government of Chile. Ley 21.067_ Crea la Defensoría de los Derechos de la Niñez. Enacted: January 22, 2018. <https://www.leychile.cl/Navegar?idNorma=1114173&idVersion=2018-06-30>.
- 56 OIT and Ministerio del Trabajo y Previsión Social. Creer Felices. Estrategia nacional para la erradicación del trabajo infantil y protección del adolescente trabajador, 2015--2025. May 5, 2015. http://www.ilo.org/santiago/publicaciones/WCMS_380838/lang-es/index.htm.
- 57 Government of Chile. Plan de Acción Nacional de Niñez y Adolescencia 2018_2025. March 2018. http://www.creiciendoconderechos.gob.cl/docs/Plan_Accion_NNA_2018-2025.pdf.
- 58 Government of Chile. Presidenta Bachelet entregó al país la Política Nacional de Niñez y envió del proyecto de ley de la Defensoría de la Niñez. 2016. <http://www.consejoinfancia.gob.cl/2016/03/17/presidenta-bachelet-entrego-al-pais-la-politica-nacional-de-ninez-y-envio-del-proyecto-de-ley-de-la-defensoria-de-la-ninez/>.
- 59 Government of Chile. Consejo Nacional de la Infancia. Política Nacional de Niñez y Adolescencia 2015-2025: Sistema Integral de Garantías de Derechos de la Niñez y Adolescencia. 2016. http://www.consejoinfancia.gob.cl/wp-content/uploads/2016/03/POLITICA-2015-2025_versionweb.pdf.
- 60 Government of Chile. Tercer Marco para la Acción contra la Explotación Sexual Comercial de Niños, Niñas, y Adolescentes. December 2017. <http://www.minjusticia.gob.cl/media/2018/01/3erMarco-documento2017-2019.pdf>.
- 61 Government of Chile. Caracterización de las formas de explotación sexual comercial de niños, niñas y adolescentes. December 2017. http://www.ongraces.org/admin/doctos/doc_49.pdf

MODERATE ADVANCEMENT

- 62 Government of Chile. Chile país pionero de la alianza 8.7: Compromiso contra la trata de personas y el trabajo infantil. April 1, 2019. <http://tratadepersonas.subinterior.gov.cl/noticias/chile-pais-pionero-de-la-alianza-8-7-compromiso-contra-la-trata-de-personas-y-el-trabajo-infantil/>.
- 63 Government of Chile. MITP Protocolo Intersectorial de Atención de Víctimas de Trata de Personas. 2013. Source on file.
- 64 U.S. Embassy- Santiago. Reporting. February 24, 2017.
- 65 U.S. Embassy- Santiago. New Pacts Aim to Enhance U.S.-Chilean Cooperation. 2014. Source on file.
- 66 Government of Chile. National Action Plan on Business and Human Rights. August 21, 2017. https://business-humanrights.org/sites/default/files/documents/NATIONAL_ACTION_PLAN_ON_BUSINESS_AND_HUMAN_RIGHTS_.pdf.
- 67 Government of Chile. DIRECON. Director Rodrigo Yáñez y el Plan de Acción Nacional de Derechos Humanos Y Empresas. November 22, 2018. <https://www.direcon.gob.cl/2018/11/director-rodrigo-yanez-y-el-plan-de-accion-nacional-de-derechos-humanos-y-empresas-el-cumplimiento-de-este-plan-nos-pone-en-un-estandar-de-calidad-que-nos-abre-puertas/>.
- 68 U.S. Embassy- Santiago. Reporting. February 23, 2012.
- 69 Government of Chile. Primer Plan Nacional de Derechos Humanos. 2018. <https://planderechoshumanos.gob.cl/files/plan.pdf>.
- 70 Iniciativa Regional America Latina y El Caribe Libre de Trabajo Infantil. Declaración de Constitución de la Iniciativa Regional América Latina y el Caribe Libre de Trabajo Infantil, signed at the ILO's 18th Regional Meeting of the Americas. October 14, 2014. <http://iniciativa2025alc.org/sites/default/files/Declaracion-IR-es.pdf>.
- 71 ILO. 18th American Regional Meeting - Latin America and Caribbean Sign a Declaration to Free the Region from Child Labour. October 17, 2014. http://www.ilo.org/caribbean/WCMS_314428/lang--en/index.htm.
- 72 Government of Chile. Caminando juntos por la Erradicación del Trabajo Infantil. June 2017. <http://www.subtrab.trabajo.gob.cl/wp-content/uploads/downloads/2017/07/Informe-Inicial-Vicaria-Pastoral-Social.pdf>.
- 73 Vicaria de Pastoral Social. Familias Comprometidas con la Erradicación del Trabajo Infantil. July 9, 2018. <http://www.vicaria.cl/familias-comprometidas-con-la-erradicacion-del-trabajo-infantil-555.html>.
- 74 Vicaria de Pastoral Social. 58 Adultos se Certifican en Oficios para Erradicar el Trabajo Infantil. September 3, 2018. <http://www.vicaria.cl/detalle.php?id=583>.
- 75 Sindical.cl. Familias se comprometen con la erradicación del trabajo infantil. June 12, 2018. <http://sindical.cl/familias-se-comprometen-con-la-erradicacion-del-trabajo-infantil/>.
- 76 Government of Chile. SENAME. Niños y niñas dijeron "No al Trabajo Infantil" con actividades en O'Higgins. June 25, 2018. <http://www.sename.cl/web/2018/06/25/niños-y-niñas-dijeron-no-al-trabajo-infantil-con-actividades-en-ohiggins/>.
- 77 Government of Chile. SENAME. Centro semicerrado del Sename Los Lagos realizó actividad de acercamiento a la comunidad. January 31, 2018. <http://www.sename.cl/web/2018/01/31/centro-semicerrado-del-sename-los-lagos-realizo-actividad-de-acercamiento-a-la-comunidad/>.
- 78 Government of Chile. SENAME. Red de protección del Sename Aysén realizó su primera jornada anual. May 17, 2018. <http://www.sename.cl/web/2018/05/17/red-de-proteccion-del-sename-aysen-realizo-su-primera-jornada-anual/>.
- 79 Government of Chile. SENAME. Niños caminaron para erradicar las peores formas de trabajo infantil February 12, 2018. <http://www.sename.cl/web/2018/02/12/niños-caminaron-para-erradicar-las-peores-formas-de-trabajo-infantil/>.
- 80 Government of Chile. SENAME. En Futrono conmemoraron el Día Mundial Contra el Trabajo Infantil. June 15, 2018. <http://www.sename.cl/web/2018/06/15/en-futrono-conmemoraron-el-dia-mundial-contra-el-trabajo-infantil/>.
- 81 Government of Chile. SENAME. Alumnos, apoderados y profesores participaron en taller contra el trabajo infantil. December 6, 2018. <http://www.sename.cl/web/2018/12/06/alumnos-apoderados-y-profesores-participaron-en-taller-contra-el-trabajo-infantil/>.
- 82 Government of Chile. SENAME. Autoridades de Los Ríos abordaron estrategia para erradicar el trabajo infantil October 19, 2018. <http://www.sename.cl/web/2018/10/19/autoridades-de-los-rios-abordaron-estrategia-para-erradicar-el-trabajo-infantil/>.
- 83 Government of Chile. SENAME. Oficinas de Protección de Derechos se capacitan en detección y denuncia del trabajo infantil. December 13, 2018. <http://www.sename.cl/web/2018/12/13/oficinas-de-proteccion-de-derechos-se-capacitan-en-deteccion-y-denuncia-del-trabajo-infantil/>.
- 84 Government of Chile. Ministerio del Trabajo y Previsión Social Presentó Programa para Contribuir a Erradicar el Trabajo Infantil. June 12, 2018. <https://www.gob.cl/noticias/ministerio-de-trabajo-presento-programa-para-contribuir-erradicar-el-trabajo-infantil/>.
- 85 Radio Agricultura. Ministro Monckeberg lanza programa para contribuir a erradicar trabajo infantil. June 12, 2018. <https://www.radioagricultura.cl/nacional/2018/06/12/ministro-monckeberg-lanza-programa-para-contribuir-a-erradicar-trabajo-infantil.html>.
- 86 Fundación Telefonica. Aquí Estoy Y Actuo: la herramienta de Fundación Telefonica para erradicar el trabajo infantil en las cadenas de producción. 2016. <http://www.fundaciontelefonica.cl/2016/06/02/aqui-estoy-y-actuo-la-herramienta-de-fundacion-telefonica-para-erradicar-el-trabajo-infantil-en-las-cadenas-de-produccion/>.
- 87 Fundación Telefonica. Empresas Se Suman a la Erradicación del Trabajo Infantil en Chile. 2016. <http://www.fundaciontelefonica.cl/2016/06/20/empresas-se-suman-a-la-erradicacion-del-trabajo-infantil-en-chile/>.
- 88 UNICEF. La Lengua Indígena Entra en la Escuela: Cartilla de Apoyo para el Sector de la Lengua Indígena. 2013. <http://unicef.cl/web/la-lengua-indigena-entra-en-la-escuela/>.
- 89 Government of Chile. National Women's Service. Programa 4 a 7, 2013. January 12, 2015. Source on file.
- 90 Government of Chile, Departamento de Protección de Derechos, Servicio Nacional de Menores. Informe de gestión programa Vida Nueva año 2013. Santiago. 2013. http://www.sename.cl/wsename/otros/03_DOC_PUB_VN/02_Informes_Gestion/IGA_2013.pdf.
- 91 Government of Chile. What is Chile Solidario? January 12, 2015. Source on file.

Although research found no evidence that child labor exists on Christmas Island, the government made no advancement in efforts to prevent the worst forms of child labor in 2018. Christmas Island does not meet the international standard for the prohibition of child trafficking. In addition, a gap in the legal framework for light work leaves children vulnerable to involvement in child labor.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Christmas Island. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Christmas Island is included as part of the territory of the Australian Commonwealth, which provides for its defense. (2-6) All legislation of the Federal Parliament applies, unless specifically excluded. (7)

Because Australia has ratified most key international conventions concerning child labor, the following conventions apply to Christmas Island (Table 1).

Table 1. 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	✓

Christmas Island is subject to the laws and regulations related to child labor of the Commonwealth of Australia and the state of Western Australia (Table 2). However, gaps exist in its legal framework to adequately protect children from child labor, including the prohibition of child trafficking.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Section 190 of the Western Australia Children and Community Services Act (8)
Minimum Age for Hazardous Work	Yes	18	Section 10.4 of the Western Australia Mines Safety and Inspection Regulations (9)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 10.4 of the Western Australia Mines Safety and Inspection Regulations (9)
Prohibition of Forced Labor	Yes		Sections 270.6–270.7 of the Commonwealth Criminal Code Act of Australia; Sections 270.6–270.7 and 271.9 of the Crimes Legislation Amendment Act (10,11)
Prohibition of Child Trafficking	No		Sections 271.1A, 271.4, and 271.7 of the Commonwealth Criminal Code Act of Australia (10)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 16 of the Western Australia Prostitution Act; Section 192 of the Western Australia Children and Community Services Act (8,12)
Prohibition of Using Children in Illicit Activities	Yes		Sections 309–310 of the Commonwealth Criminal Code Act of Australia (10)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Canberra Act 2600 (13)

Christmas Island

NO ADVANCEMENT

Table 2. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Canberra Act 2600 (13)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 268.68 and 268.88 of the Commonwealth Criminal Code Act of Australia (10)
Compulsory Education Age	Yes	17.5	Section 6 of the Western Australia School Education Act (14)
Free Public Education	Yes		Section 98 of the Western Australia School Education Act (14)

* No conscription (13)

In Christmas Island, the Government of Western Australia's Children and Community Services Act sets the minimum age for light work in delivery employment at 10 years if the child is accompanied by a parent or an authorized adult. This is not in compliance with international standards, which set the minimum age for light work at age 13. (8,15) Laws related to child trafficking are not sufficient as the recruitment, harboring, transfer, and receipt (domestically) of children for forced labor and commercial sexual exploitation are not clearly prohibited. (10)

In Christmas Island, the Western Australia School Education Act notes that education is compulsory until the end of the year in which a child reaches the age of 17 years and 6 months, until the child finishes the minimum requirements for secondary school graduation under the Curriculum Council Act of 1997, or until the child reaches age 18, whichever comes first. (14) 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.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

Although there is no evidence of a problem, the Government of Australia has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Australian Federal Police, the Department of Immigration, and the Department of Regional Development	Enforce criminal laws related to the worst forms of child labor. (16) In the case of the Child Protection Operations Team, coordinates and investigates online and multi-jurisdictional online child sex exploitation issues, including child pornography. (17) In the case of Human Trafficking Teams, investigate human trafficking for the purpose of transnational sexual and labor exploitation. (18)
Australian Department of Child Protection	Issues orders to stop a child from working if there is a risk of harm. (19) Authorized to inspect all workplaces where children are employed for compliance and issue penalties. (20,21)

Western Australian WorkSafe Inspectors provide services on Christmas Island, where they have the right to enter, at any time, any workplace including aircraft, ships, and vehicles in which employees work or are likely to be in the course of their work. Inspectors have unrestricted access to workplaces, except where there is a statutory restriction, to determine whether employers are in compliance with the Occupational Safety and Health Act. (1,22)

Labor Law Enforcement

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor.

Criminal Law Enforcement

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

Although there is no evidence of a problem, the Government of Australia has established mechanisms to coordinate government efforts on child labor (Table 4).

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Interdepartmental Committee on Human Trafficking	Chaired by the Attorney General's Department, deals with child labor issues, including its worst forms, from a human trafficking perspective and consists of 10 government agencies, including the Australian Federal Police, Department of Employment, and Department of Foreign Affairs. (1,18) This Committee was active in 2018, but information regarding its work was unavailable for inclusion in this report. (23)

V. GOVERNMENT POLICIES ON CHILD LABOR

Although there is no evidence of a problem, the Government of Australia has established policies related to child labor (Table 5).

Table 5. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Human Trafficking and Slavery 2015–2019	Outlines cooperation and participation by government and non-government entities to combat human trafficking and slavery, including commercial sexual exploitation of children. (1,24) While this policy was in effect in 2018, research was unable to determine whether activities were undertaken to implement it during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in Christmas Island (Table 6).

Table 6. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for all light work to age 13 to comply with international standards.	2015 – 2018
	Ensure that child trafficking, including the recruitment, harboring, transfer, and receipt of children for forced labor and commercial sexual exploitation, is clearly criminalized both domestically and internationally.	2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018

REFERENCES

- U.S. Embassy- Canberra. Reporting. March 8, 2019.
- U.S. Embassy- Canberra. Reporting. January 11, 2016.
- Government of Christmas Island. Christmas Island Act. Enacted: 1958. <https://www.comlaw.gov.au/Series/C1958A00041>.
- Government of Australia. Acts Interpretation Act 1901. Enacted: July 12, 1901. <https://www.legislation.gov.au/Details/C2016C00531/Download>.
- Government of Cocos (Keeling) Islands. Cocos Keeling Islands Act. Enacted: December 11, 2010. <https://www.comlaw.gov.au/Details/C2010C00815>.
- Government of Australia. Norfolk Island Legislation Amendment Act 2015, No. 59. Enacted: March 24, 2016. <https://www.legislation.gov.au/Details/C2016C00568>.
- Government of Australia. Legal Risk in International Transaction: Section 10: External Territories. Canberra. 2012. <http://www.alrc.gov.au/publications/alrc-80-legal-risk-international-transactions/10-external-territories>.
- Government of Western Australia. Children and Community Services Act 2004. Enacted: October 20, 2004. http://www.austlii.edu.au/au/legis/wa/consol_act/cacsa2004318/.
- Government of Western Australia. Mines Safety and Inspection Regulations 1995. Enacted: 1995. https://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_1819_homepage.html.
- Government of Australia. The Criminal Code Act 1995. Enacted: 1995. http://www.austlii.edu.au/au/legis/cth/consol_act/cca1995115/sch1.html.

Christmas Island

NO ADVANCEMENT

- 11 Government of Australia. Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013. Enacted: March 8, 2013.
<https://www.legislation.gov.au/Details/C2013A00006>.
- 12 Government of Western Australia. Prostitution Act 2000. Enacted: July 29, 2000.
http://www.austlii.edu.au/au/legis/wa/consol_act/pa2000205/.
- 13 Government of Australia. Canberra Act 2600. Enacted: April 22, 2008. Source on file.
- 14 Government of Western Australia. School Education Act 1999. Enacted: 1999.
https://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_878_homepage.html.
- 15 International Labour Organization. ILO Conventions and Recommendations on child labour.
<http://www.ilo.org/ipec/facts/ILOconventionsonchildlabour/lang--en/index/htm>.
- 16 Government of Australia. Australian Federal Police: Child Protection. Website, Accessed March 22, 2019.
<https://www.afp.gov.au/what-we-do/crime-types/child-protection>.
- 17 Australian Federal Police (AFP). AFP Child Protection Operations-Online Child Sex Exploitation. Website, Accessed March 22, 2019.
<https://www.afp.gov.au/what-we-do/crime-types/child-protection>.
- 18 Government of Australia. Parliamentary Joint Committee on Law Enforcement: An inquiry into human trafficking, slavery, and slavery-like practices. July 2017.
https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Law_Enforcement/Humantrafficking45/~/_media/Committees/le_ctte/Humantrafficking45/report.pdf.
- 19 U.S. Embassy- Canberra. Email communication to USDOL official. June 10, 2019.
- 20 Government of Western Australia. Industrial Relations Act 1979. December 19, 2018.
[https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_41631.pdf/\\$FILE/Industrial Relations Act 1979 - \[15-c0-01\].pdf?OpenElement](https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_41631.pdf/$FILE/Industrial%20Relations%20Act%201979%20-%20[15-c0-01].pdf?OpenElement).
- 21 Government of Western Australia. Children and Community Services Act 2004 Information Sheet. February 2009.
[https://www.dcp.wa.gov.au/ChildProtection/Documents/Fact sheet - employment of children laws.pdf](https://www.dcp.wa.gov.au/ChildProtection/Documents/Fact%20sheet%20-%20employment%20of%20children%20laws.pdf).
- 22 Government of Western Australia Department of Commerce. When an Inspector Calls. May 23, 2017.
<https://www.commerce.wa.gov.au/worksafe/when-inspector-calls>.
- 23 Government of Australia. Department of Home Affairs: Criminal Justice. Website, Accessed June 12, 2019.
<https://www.homeaffairs.gov.au/about-us/our-portfolios/criminal-justice/people-smuggling-human-trafficking/human-trafficking>.
- 24 Government of Australia. National Action Plan to Combat Human Trafficking and Slavery 2015-2019. 2014.
<https://archive.homeaffairs.gov.au/crime/Documents/trafficking-national-action-plan-combat-human-trafficking-slavery-2015-19.pdf>.

Cocos (Keeling) Islands

NO ADVANCEMENT

Although research found no evidence that child labor exists in the Cocos (Keeling) Islands, the government made no advancement in efforts to prevent the worst forms of child labor in 2018. The Cocos (Keeling) Islands does not meet the international standard for the prohibition of child trafficking. In addition, a gap in the legal framework for light work leaves children vulnerable to involvement in child labor.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in the Cocos (Keeling) Islands. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Cocos (Keeling) Islands are included as part of the territory of the Australian Commonwealth, which provides for its defense. (2-6) All legislation of the Federal Parliament applies, unless specifically excluded. (7) Because Australia has ratified most key international conventions concerning child labor, the following conventions apply to the Cocos (Keeling) Islands (Table 1).

Table 1. 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 Cocos (Keeling) Islands is subject to the laws and regulations related to child labor of the Commonwealth of Australia and the state of Western Australia (Table 2). However, gaps exist in its legal framework to adequately protect children from child labor, including the prohibition of child trafficking.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Section 190 of the Western Australia Children and Community Services Act (8)
Minimum Age for Hazardous Work	Yes	18	Section 10.4 of the Western Australia Mines Safety and Inspection Regulations (9)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 10.4 of the Western Australia Mines Safety and Inspection Regulations (9)
Prohibition of Forced Labor	Yes		Sections 270.6–270.7 of the Commonwealth Criminal Code Act of Australia; Sections 270.6–270.7 and 271.9 of the Crimes Legislation Amendment Act (10,11)
Prohibition of Child Trafficking	No		Sections 271.1A, 271.4, and 271.7 of the Commonwealth Criminal Code Act of Australia (10)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 16 of the Western Australia Prostitution Act; Section 192 of the Western Australia Children and Community Services Act (8,12)
Prohibition of Using Children in Illicit Activities	Yes		Sections 309–310 of the Commonwealth Criminal Code Act of Australia (10)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Canberra Act 2600 (13)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Canberra Act 2600 (13)

Cocos (Keeling) Islands

NO ADVANCEMENT

Table 2. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 268.68 and 268.88 of the Commonwealth Criminal Code Act of Australia (10)
Compulsory Education Age	Yes	17.5	Section 6 of the Western Australia School Education Act (14)
Free Public Education	Yes		Section 98 of the Western Australia School Education Act (14)

* No conscription (13)

In the Cocos (Keeling) Islands, the Government of Western Australia's Children and Community Services Act sets the minimum age for light work in delivery employment at 10 years if the child is accompanied by a parent or an authorized adult. This is not in compliance with international standards, which set the minimum age for light work at age 13. (8,15) Laws related to child trafficking are not sufficient as the recruitment, harboring, transfer, and receipt (domestically) of children for forced labor and commercial sexual exploitation are not clearly prohibited. (10) 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.

In the Cocos (Keeling) Islands, the Western Australia School Education Act notes that education is compulsory until the end of the year in which a child reaches the age of 17 years and 6 months, until the child finishes the minimum requirements for secondary school graduation under the Curriculum Council Act of 1997, or until the child reaches age 18, whichever comes first. (14)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

Although there is no evidence of a problem, the Government of Australia has established institutional mechanisms for the enforcement of laws and regulations on child labor, which apply to the Cocos (Keeling) Islands (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Australian Federal Police, the Department of Immigration, and the Department of Regional Development	Enforce criminal laws related to the worst forms of child labor. (16) In the case of the Child Protection Operations Team, coordinates and investigates online and multi-jurisdictional online child sex exploitation issues, including child pornography. (17) In the case of Human Trafficking Teams, investigate human trafficking for the purpose of transnational sexual and labor exploitation. (18)
Australian Department of Child Protection	Issues orders to stop a child from working if there is a risk of harm. (19) Authorized to inspect all workplaces where children are employed for compliance and issue penalties. (8,20)

Western Australian WorkSafe Inspectors provide services on the Cocos (Keeling) Islands, where they have the right to enter, at any time, any workplace including aircraft, ships, and vehicles in which employees work or are likely to be in the course of their work. Inspectors have unrestricted access to workplaces, except where there is a statutory restriction, to determine whether employers are in compliance with the Occupational Safety and Health Act. (1,21)

Labor Law Enforcement

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor.

Criminal Law Enforcement

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

Although there is no evidence of a problem, the Government of Australia has established mechanisms to coordinate government efforts on child labor (Table 4).

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Interdepartmental Committee on Human Trafficking	Chaired by the Attorney General's Department, deals with child labor issues, including its worst forms, from a human trafficking perspective and consists of 10 government agencies, including the Australian Federal Police, Department of Employment, and Department of Foreign Affairs. (1,18) This Committee was active in 2018, but information regarding its work was unavailable for inclusion in this report. (22)

V. GOVERNMENT POLICIES ON CHILD LABOR

Although there is no evidence of a problem, the Government of Australia has established policies related to child labor (Table 5).

Table 5. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Human Trafficking and Slavery 2015–2019	Outlines cooperation and participation by government and non-government entities to combat human trafficking and slavery, including commercial sexual exploitation of children. (1,23) While this policy was in effect in 2018, research was unable to determine whether activities were undertaken to implement it during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in the Cocos (Keeling) Islands (Table 6).

Table 6. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018
	Raise the minimum age for all light work to comply with international standards.	2015 – 2018
	Ensure that child trafficking, including the recruitment, harboring, transfer, and receipt of children for forced labor and commercial sexual exploitation, is clearly criminalized both domestically and internationally.	2018

REFERENCES

- U.S. Embassy- Canberra. Reporting. March 8, 2019.
- U.S. Embassy- Canberra. Reporting. January 11, 2016.
- Government of Australia. Acts Interpretation Act 1901. Enacted: July 12, 1901. <https://www.legislation.gov.au/Details/C2016C00531/Download>.
- Government of Cocos (Keeling) Islands. Cocos Keeling Islands Act. Enacted: December 11, 2010. <https://www.comlaw.gov.au/Details/C2010C00815>.
- Government of Australia. Norfolk Island Legislation Amendment Act 2015, No. 59. Enacted: March 24, 2016. <https://www.legislation.gov.au/Details/C2016C00568>.
- CIA. The World Factbook. Accessed March 21, 2019. <https://www.cia.gov/library/publications/the-world-factbook/geos/ck.html>.
- Government of Australia. Legal Risk in International Transaction: Section 10: External Territories. Canberra. 2012. <http://www.alrc.gov.au/publications/alrc-80-legal-risk-international-transactions/10-external-territories>.
- Government of Western Australia. Children and Community Services Act 2004. Enacted: October 20, 2004. http://www.austlii.edu.au/au/legis/wa/consol_act/cacsa2004318/.
- Government of Western Australia. Mines Safety and Inspection Regulations 1995. Enacted: 1995. https://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_1819_homepage.html.
- Government of Australia. The Criminal Code Act 1995. Enacted: 1995. http://www.austlii.edu.au/au/legis/cth/consol_act/cca1995115/schl.html.
- Government of Australia. Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013. Enacted: March 8, 2013. <https://www.legislation.gov.au/Details/C2013A00006>.

Cocos (Keeling) Islands

NO ADVANCEMENT

- 12 Government of Western Australia. Prostitution Act 2000. Enacted: July 29, 2000.
http://www.austlii.edu.au/au/legis/wa/consol_act/pa2000205/.
- 13 Government of Australia. Canberra Act 2600. Enacted: April 22, 2008. Source on file.
- 14 Government of Western Australia. School Education Act 1999. Enacted: 1999.
https://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_878_homepage.html.
- 15 International Labour Organization. ILO Conventions and Recommendations on child labour.
<http://www.ilo.org/ipec/facts/ILOconventionsonchildlabour/lang-en/index/htm>.
- 16 Government of Australia. Australian Federal Police: Child Protection. Website, Accessed March 22, 2019.
<https://www.afp.gov.au/what-we-do/crime-types/child-protection>.
- 17 Australian Federal Police (AFP). AFP Child Protection Operations-Online Child Sex Exploitation. Website, Accessed March 22, 2019.
<https://www.afp.gov.au/what-we-do/crime-types/child-protection>
- 18 Government of Australia. Parliamentary Joint Committee on Law Enforcement: An inquiry into human trafficking, slavery, and slavery-like practices. July 2017.
https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Law_Enforcement/Humantrafficking45/~/_media/Committees/le_ctte/Humantrafficking45/report.pdf.
- 19 U.S. Embassy- Canberra. Email communication to USDOL official. June 10, 2019.
- 20 Government of Western Australia. Industrial Relations Act 1979. December 19, 2018.
[https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_41631.pdf/\\$FILE/Industrial Relations Act 1979 - \[15-c0-01\].pdf?OpenElement](https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_41631.pdf/$FILE/Industrial%20Relations%20Act%201979%20-%20[15-c0-01].pdf?OpenElement).
- 21 Government of Western Australia Department of Commerce. When an Inspector Calls. May 23, 2017.
<https://www.commerce.wa.gov.au/worksafe/when-inspector-calls>.
- 22 Government of Australia. Department of Home Affairs: Criminal Justice. Website, Accessed June 12, 2019.
<https://www.homeaffairs.gov.au/about-us/our-portfolios/criminal-justice/people-smuggling-human-trafficking/human-trafficking>.
- 23 Government of Australia. National Action Plan to Combat Human Trafficking and Slavery 2015-2019. 2014.
<https://archive.homeaffairs.gov.au/crime/Documents/trafficking-national-action-plan-combat-human-trafficking-slavery-2015-19.pdf>.

In 2018, Colombia made a significant advancement in efforts to eliminate the worst forms of child labor. The government drafted two new bills: one to strengthen penalties in the Penal Code for crimes of commercial sexual exploitation, and one to establish more comprehensive provisions to protect children against cyber crimes that involve commercial sexual exploitation. The Ministry of Labor also significantly increased its resources dedicated to labor law enforcement and launched the campaign “Working is Not a Child’s Task,” which aims to prevent and eliminate child labor through awareness raising efforts. The government adopted the National Policy on Childhood and Adolescence. It also began implementing the Center for the Crime of Trafficking in Persons, which collects information and analysis on human trafficking and uses this information to develop effective public policies. However, children in Colombia engage in the worst forms of child labor, including in commercial sexual exploitation and illicit activities, each sometimes as a result of human trafficking. In addition, the government does not employ a sufficient number of labor inspectors.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Colombia engage in the worst forms of child labor, including in commercial sexual exploitation and illicit activities, each sometimes as a result of human trafficking. (1,2) The government publishes annual statistics on children’s work from its National Household Survey. (3) However, activities and ages are not sufficiently specified in these data to determine child labor rates per sector. (3,4) Table I provides key indicators on children’s work and education in Colombia.

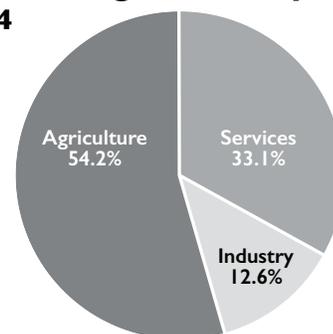
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.9 (332,253)
Attending School (%)	5 to 14	94.1
Combining Work and School (%)	7 to 14	4.2
Primary Completion Rate (%)		105

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organizations’ analysis of statistics from Gran Encuesta Integrada de Hogares, Módulo de Trabajo Infantil (GEIH-MTI), 2017. (6)

Figure 1. Working Children by Sector, Ages 5-14



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 coffee,† sugarcane,† and unrefined brown sugar (panela)† (4,7-9) Animal husbandry,† hunting,† and fishing,† activities unknown (4,9-11)
Industry	Mining coal,† emeralds,† gold,† tungsten,† coltan,† and clay† (4,9,12-14) Producing bricks† (9,13)

SIGNIFICANT ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Construction,† activities unknown (15)
	Cutting and transporting lumber;† and creating artisanal woodwork such as handicrafts and decorative items (4,16,17)
Services	Street work,† including vending and helping shoppers carry bags in urban markets,† begging,† guarding or washing cars and motorcycles,† and selling massages and hair-braiding to tourists in beach areas (1,2,4,7,18-25)
	Recycling† and garbage scavenging† (1,4,20,26)
	Domestic work,† including caring for children,† cooking, gardening, and shopping for the home (4,7,9,27)
	Working in retail establishments, hotels, and restaurants, activities unknown (3,4,9,10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,4,18,25,28-31)
	Use in the production of pornography (1,4,7,25,28,30)
	Recruitment of children by non-state armed groups for use in armed conflict (2,4,25,32)
	Use in illicit activities, including in forced begging, by illegal armed groups and criminal organizations to commit homicides and traffic drugs, and in the production of marijuana and coca (stimulant plant), each sometimes as a result of human trafficking (1,2,4,7,9,25,33,34)

† 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.

Commercial sexual exploitation of children occurs more often in private homes rented online than in commercial establishments. (4,9) In Bucaramanga, child victims of commercial sexual exploitation are allegedly recruited in schools by other students. (35) In mining areas, trafficking of children for forced labor and commercial sexual exploitation is widespread. (4,25,36) Reports also indicate that criminal gangs and dissident groups recruit Colombian and Venezuelan children to produce and traffic drugs and commit homicides and extortion. (37,38)

Some civil society groups report that the forced recruitment and use of minors in Colombia by illegal armed groups, including *Fuerzas Armadas Revolucionarias de Colombia* (FARC) dissidents, the National Liberation Army, the Popular Liberation Army, and non-ideological criminal organizations such as the Gulf Clan, continued and increased from 2017 to 2018. (2,25,39,40) Children are recruited to perform intelligence and logistical activities, store and transport weapons, and engage in commercial sexual exploitation. (4,7,25,32) However, the Colombian government has reported that this recruitment and use of children remained significantly lower than levels prior to the signing of the 2016 peace accord with FARC. (41)

In Colombia, impassable roads, long distances between children’s homes and schools in rural areas, a lack of teachers, and continued violence and insecurity in parts of the country hinder access to education. (4,9,42) Indigenous and Afro-Colombian children in particular face difficulties in accessing education. (7,42) In several communities, classes were interrupted, sometimes for weeks at a time, because of illegal armed group activity in those areas. (40,42) Venezuelan children in Colombia who lack identity documents are provided temporary identification numbers, enabling them to access all aspects of the education system. (4) In 2018, the Ministry of Education and the Director General of Migration jointly issued a circular to facilitate enrollment in school for these children, regardless of their residency or citizenship status. (4,43) UNICEF and NGOs reported that overall implementation of the circular has been successful, if uneven in some districts because of the challenges created by the large number of Venezuelan children, noting strained classroom space and resources. (4)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Colombia 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's laws and regulations are in line with relevant international standards (Table 4). However, gaps remain, including the differences in the minimum age for work and the compulsory schooling age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 35 of the Code on Childhood and Adolescence (44)
Minimum Age for Hazardous Work	Yes	18	Article 117 of the Code on Childhood and Adolescence (44)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 3 of Resolution 1796 (45)
Prohibition of Forced Labor	Yes		Article 17 of the Constitution; Articles 141 and 188A of the Penal Code; Article 5 of Resolution 3597 (46-48)
Prohibition of Child Trafficking	Yes		Article 17 of the Constitution; Articles 188A–188C of the Penal Code; Article 5 of Resolution 3597 (46-48)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 213–219B of the Penal Code (48)
Prohibition of Using Children in Illicit Activities	Yes		Articles 162, 188D, and 384 of the Penal Code; Article 2 of Resolution 3597 (46,48)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 13 of Law 418; Article 2 of Law 548 (49,50)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 13 of Law 418; Article 2 of Law 548 (49,50)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 162 of Law 599; Article 20 of Law 1098; Article 14 of Law 418 (44,48,49)
Compulsory Education Age	Yes	18	Decision C-376/10 of the Colombian Constitutional Court (51)
Free Public Education	Yes		Article 1 of Decree 4807 (52)

During the reporting period, members of Congress drafted a bill to strengthen penalties in the Penal Code for crimes of commercial sexual exploitation and to expand the range of criminal practices considered under these crimes. (4,53) The bill also increases minimum sentences to 26 years in prison for the procurement of a minor for commercial sexual exploitation, demanding a minor to perform sexual acts for money, and any involvement in sex tourism. (53) In addition, Congress drafted a bill that would revise the Penal Code to establish more comprehensive criminal provisions to protect children and adolescents from commercial sexual exploitation perpetrated through the internet, social media, and mobile devices. (4,54) This modification would ensure that crimes committed online related to the commercial sexual exploitation of children, including child pornography, would be punished in the same way as similar crimes committed in person. (54)

Challenges remain concerning differences in the minimum age for work and the compulsory schooling age. The minimum age for work is lower than the compulsory education age, and children may be encouraged to leave school before the completion of compulsory education. (44)

Colombia

SIGNIFICANT ADVANCEMENT

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 (MOL) 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's (MOL) Inspection, Monitoring, Control, and Territorial Management Department	Receives complaints of labor law violations and conducts labor inspections, including inspections to verify labor conditions for adolescent workers and compliance with other child labor provisions. Oversees the Internal Working Group on Child Labor Eradication. (55) Operates the Integrated Registration and Information System for Child Labor, a child labor monitoring system that identifies children engaged in or at risk of child labor. (1,56)
Active Search Team for Trafficking in Persons, Sexual Exploitation of Children, Girls, and Adolescents and Related Crimes*	Uses a proactive investigation model to identify these crimes in regions where they occur instead of waiting for victims to seek attention at the national level. Created in 2018 by the Bogota Mayor's office. (25)
National Police	Investigates cases of commercial sexual exploitation and human trafficking. (4) Judicial police and the Technical Investigation Corps support the Attorney General's Office throughout the investigation process. (4)
Attorney General's Office	Investigates and prosecutes cases of child recruitment for armed conflict, commercial sexual exploitation, forced labor, and human trafficking, with support from the Office's Technical Investigation Unit, which also advises the Attorney General in the design of policies and strategies related to the role of judicial police investigators. (4,44) Oversees the Articulation Group for Combating Trafficking in Persons, which includes four prosecutors who focus on investigating and prosecuting cross-border human trafficking and other related crimes. (57)
National Training Service	Collects fines imposed by MOL for labor law violations. (58)

* Agency was created during the reporting period.

Labor Law Enforcement

In 2018, labor law enforcement agencies in Colombia took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$1,016,989 (24)	\$2,400,000 (4)
Number of Labor Inspectors	868 (59)	867 (4)
Inspectorate Authorized to Assess Penalties	Yes (9)	Yes (4)
Initial Training for New Labor Inspectors	Yes (60)	Yes (4)
Training on New Laws Related to Child Labor	N/A	N/A (4)
Refresher Courses Provided	Yes (9)	Unknown (4)
Number of Labor Inspections Conducted	Unknown	Unknown (4)
Number Conducted at Worksite	Unknown	Unknown (4)
Number of Child Labor Violations Found	247† (9)	Unknown (4)
Number of Child Labor Violations for Which Penalties Were Imposed	15 (9)	12 (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (4)
Routine Inspections Conducted	Yes (9)	Yes (4)
Routine Inspections Targeted	Yes (9)	Yes (4)
Unannounced Inspections Permitted	Yes (9)	Yes (4)
Unannounced Inspections Conducted	Yes (9)	Yes (4)
Complaint Mechanism Exists	Yes (7,9)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7,9)	Yes (4)

† Data are from January 2017 to October 2017.

In 2018, the MOL significantly increased its resources dedicated to labor law enforcement, including approximately \$600,000 dedicated specifically to improving training for labor inspectors. (4) The budget also included resources for improving the connectivity and implementation of the electronic case management system which was created in 2017. (4) However, reports indicate that resource allocation for labor law enforcement in rural areas, such as Amazonas and Vichada, was insufficient. (7,59) In some cases, inspectors carried out inspections in a small geographic area due to a lack of transportation resources to reach areas accessible only by boats or small planes. (1) Although unannounced inspections are permitted by the Labor Code, inspectors must obtain prior approval from the Attorney General's Office and be accompanied by judicial police officers to inspect certain kinds of private property, such as private homes, farms, and brothels, which may create delays. (4)

The number of labor inspectors is likely insufficient for the size of Colombia's workforce, which includes over 25 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Colombia should employ roughly 1,645 inspectors. (7,61) In Colombia, labor inspectors are not considered full civil servants until they are hired through a state-provided civil service exam, which occurs infrequently. (4) To address the high turnover among inspectors and fill all of the MOL's 904 labor inspector positions with permanent inspectors, the government held an exam in April 2018. (4) However, in September, the Council of State suspended the appointments made under the exam based on a legal action filed by the National Association of Labor Inspectors, which argued that proper notification of the exam had not been provided in accordance with the law. Until the Council makes a ruling on these appointments, the hiring of inspectors can only be done through a complex legal process. (4) Despite the government's concerns about forced labor in areas such as illegal mining, domestic servitude, agriculture near the coffee belt, cattle herding, and crop harvesting, the MOL did not have inspector trainings in victim identification. (41) In 2018, with the support of an international organization, the MOL worked to finalize a victim identification protocol for labor inspectors. (41)

Despite the requirement that children between the ages of 15 and 17 obtain official authorization to work, many adolescents work without such authorization. (62) Although the government did not provide the total number of labor inspections conducted in 2018, it did report that 2,757 inspections were conducted to determine whether authorizations for minors of the legal minimum work age were properly granted and 2,099 follow-up inspections of work sites were conducted to verify the appropriate conditions of work for authorized minors of the legal minimum work age. (4)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Colombia 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 new employees and funding.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Unknown (4)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (9)	N/A (4)
Refresher Courses Provided	Yes (9)	Yes (4)
Number of Investigations	Unknown	4,333 (4)
Number of Violations Found	Unknown	3,280 (4)
Number of Prosecutions Initiated	359 (9)	607 (4)
Number of Convictions	206 (59)	673 (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (63,64)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (4)

In 2018, the Attorney General's Office reported that of the 3,280 children and adolescents registered as victims of crimes related to the worst forms of child labor, 36 percent involved child pornography, 18 percent involved

Colombia

SIGNIFICANT ADVANCEMENT

the use of children to commit illicit activities, and the remaining 46 percent included cases of child recruitment into criminal ranks, commercial sexual exploitation, and trafficking in persons. (4) The Ministry of Defense reported that it received 177 cases of children and adolescents demobilized from illegally armed groups, all of which were referred to the Office of the Attorney General and the Colombian Institute of Family Well-Being (ICBF) for investigation and prosecution. The children were referred to social services. (4)

During the reporting period, the ICBF registered 1,396 children for assistance through its Administrative Program for Reestablishing the Defense of Rights (PARD), a set of procedures to defend the rights of children who have been abused by adults, including through trafficking, forced labor, forced military action, or commercial sexual exploitation. (4,39,65) The process includes psychological evaluation, nutritional assessment, verification of birth registry, and assessment of family environment. (65) Between January and October 2018, 18 children and adolescents entered the PARD process by reason of human trafficking for the purpose of sexual exploitation. (25) In 2018, the Ministry of Foreign Affairs coordinated numerous multilateral efforts for cooperation and technical assistance with other countries to share best practices in the areas of prevention, investigation, and assistance to victims of trafficking. (25) In 2018, the U.S. Immigration and Customs Enforcement Agency's Office of Homeland Security Investigations helped establish the Child Exploitation Unit in the Colombian National Police's Transnational Criminal Unit. During the reporting period, this unit opened 24 child exploitation cases, executed 9 search warrants, and arrested 10 individuals for the sexual exploitation of children. (25) Although the government took action on crimes related to the commercial sexual exploitation and trafficking of children and collected data on these crimes, the Attorney General's Office reported that its case management system tracks processes through conviction only and does not include sentencing. (4,63,64)

In 2018, the Attorney General's Office reported conducting numerous trainings on the worst forms of child labor. Participants included the Colombian National Police, the ICBF, the Judicial Police Investigation Unit, and members of the Family Defenders Offices. (4) The Ministry of the Interior held numerous anti-trafficking in persons trainings, and the Colombian National Police, in cooperation with Interpol and UNODC, trained 130 law enforcement investigators at the national level. (4)

In September 2018, the government launched the National Information System on Trafficking in Persons to collect, process, and analyze trafficking in persons data from the Inter-institutional Committee for the Fight against Trafficking in Persons and 32 regional committees. (25) Despite these efforts, the government did not provide clear information on whether funding provided to criminal law enforcement agencies was sufficient. (4) In addition, civil society noted a lack of specific budget allocations by government institutions for addressing trafficking in persons. (25)

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 including the inconsistent coordination in human trafficking victim identification.

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

Coordinating Body	Role & Description
Interagency Committee for the Elimination of the Worst Forms of Child Labor and Protection of the Adolescent Worker (CIETI)	Coordinates efforts to combat the worst forms of child labor. Chaired by MOL, includes 13 government agencies and representatives from trade unions, business associations, and civil society organizations. (7) Oversees 32 department-level CIETIs throughout the country, each comprising municipal-level committees. (62) In 2018, department-level CIETIs were trained on the provisions in the National Policy Guidelines to Eradicate and Prevent Child Labor and Protect Adolescent Workers (2019–2029) and subsequently created department-level Action Plans to implement the guidelines in various regions. (4,66)

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

Coordinating Body	Role & Description
Colombian Institute for Family Well-Being (ICBF)	Operates mobile units to coordinate government actions to protect children's rights, including protection from child labor. Supports demobilized child soldiers by strengthening family networks and increasing access to health services, food, education, and shelter. (16) Serves as Administrator of the Fund Against Sexual Exploitation of Children and Adolescents. (67) Processes child labor complaints, operates hotlines to report child labor cases, and provide social services to children engaged in or at risk of child labor. (4,68) In 2018, expanded from 40 to 58 mobile units, comprising 174 professionals nationwide. (4,69) In addition, mobile teams conducted 1,962 workshops on child labor in 267 municipalities across the country in 2018. (4) Also coordinated with the Ministry of Interior (MOI) on a working group to more closely and effectively coordinate service provision for child and adolescent victims of human trafficking. (25)
ICBF's National System of Family Well-Being	Promotes interagency coordination to protect children's rights, including rights related to child labor. (7) Designs, implements, monitors, and evaluates policies that affect children from early childhood to adolescence. Comprises the offices of the President and Vice President, 15 government ministries, and other government agencies. (70) ICBF provided technical assistance in 2018 to 125 officials in agencies comprising the National System of Family Welfare on protocols for referring children engaged in mining to social services in the departments of Cordoba, La Guajira, and Cesar. (4)
National Interagency Committee for the Prevention and Eradication of Child Commercial Sexual Exploitation	Coordinates and implements efforts to combat the commercial sexual exploitation of children. Led by MOL and comprises 15 government agencies. (7) Was active during the reporting period. (4)
Interagency Committee to Combat Trafficking in Persons	Leads and coordinates efforts among government agencies to combat human trafficking. Created by Law 985, chaired by the Ministry of the Interior, and comprises 16 government entities and 6 permanent invitees, including private sector and international organizations. (1) In 2018, conducted 44 technical advisory meetings with 32 departmental, municipal, and district-level committees to improve coordination. (4,25) Also provided multiple trainings for government agencies, including judicial branch officials and the Colombian National Police, businesses, indigenous communities, and academic institutions on how to identify and combat human trafficking crimes. (4) In May 2018, the Committee formalized an action plan that defines coordinating actions in prevention and awareness raising. The plan came into effect on June 1, 2019. (65)
Center for the Crime of Trafficking in Persons* (Observatorio del Delito Trata de Personas)	Implemented in October 2018, the Center serves as a mechanism for the collection, registration and systematization of information related to human trafficking. (71) This information is used to strengthen government mechanisms for prevention. (71) The Center's priorities include analysis of Venezuela migration and trafficking in persons, the development of guides for victim assistance at the regional level, and training for judicial officials. (4) In 2018, the Observatory carried out two academic conferences focusing on investigation and prosecution. (4,39)
Inter-sectorial Commission for the Prevention of the Recruitment and Use of Children by Illegal Armed Groups (CIPRUNNA)	Coordinates efforts to prevent child recruitment by illegal armed groups, including for the purposes of commercial sexual exploitation. Created by Law 552, led by the High Commissioner for Post-Conflict, Human Rights, and Security, and comprises 23 entities, including the Attorney General's Office and MOL as permanent members. (72,73) The Commission held 7 meetings in 2018 and issued a decree that requires relevant government agencies to create a 4-year action plan to implement guidelines under the oversight of the Commission. (4,65,74,75) The Commission also published an extensive progress report in July 2018 that highlighted CIPRUNNA's coverage of 96 percent of the Colombian territory with at least one strategy, program, or prevention project in 1,056 municipalities in the 32 departments of Colombia. (75)
National Reintegration Council	Supervises the reintegration of <i>Fuerzas Armadas Revolucionarias de Colombia</i> (FARC) members, including children, and the preparation of a socioeconomic survey of former FARC combatants. (76) Established on December 20, 2016, pursuant to the Peace Accord, and continues coordination efforts. (4,77) Was active during the reporting period. (4)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2018, the Ministry of Tourism hosted the International Summit for the Protection of Children and Adolescents in the Tourism Sector, which brought together representatives from 90 countries to address challenges related to the commercial sexual exploitation of children in the tourism sector. (4)

Civil society organizations have noted inconsistent coordination in the areas of human trafficking victim identification and assistance, may hinder anti-trafficking efforts. (25)

SIGNIFICANT ADVANCEMENT

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy Guidelines to Prevent and Eradicate Child Labor and Protect the Adolescent Worker (2019–2029)†	Aims to focus on child labor eradication in agricultural policy, develop child labor prevention strategies, improve the quality and coverage of child protection services, protect adolescent workers from hazardous work, create strategies to address child labor in domestic work, and establish evaluation and monitoring mechanisms to assess progress. (66) The government updated this policy during the reporting period and held workshops for civil society in various regions of the country. (4) The Colombian Government, along with the <i>Somos Tesoro</i> Project, the School of Public Administration, and ILO developed an online course to train civil servants on implementation of the policy. (78)
National Policy on Childhood and Adolescence (2018–2030)†	Articulates multiple sub-policies on the worst forms of child labor, protection of adolescents, prevention and eradication of commercial sexual exploitation of children, and prevention of recruitment of children and adolescents by illegal armed groups. (4,79) Policy adopted in June 2018 to contribute to the comprehensive welfare and development of children and adolescents, recognizing them as rights-bearing subjects and integral to national development. (4,79)
Child Labor Pact (2014–2018)	Seeks to address the revision of policies on the prevention and eradication of child labor and to make such policies an integral part of national strategies; improve coordination among MOL and other government agencies, ILO, and industry associations; raise awareness of child labor issues in capital cities and tourist destinations; and train department-level officials on laws related to child labor and services available to victims. (62) The government did not publish information on activities taken under this pact in 2018 for inclusion in this report.
National Strategy for the Fight Against Trafficking in Persons (2016–2018)	Aims to prevent human trafficking by raising awareness to detect potential victims, providing immediate assistance to victims, promoting inter-institutional collaboration, strengthening and developing international cooperation mechanisms, and developing a data-gathering mechanism. (80) Established by Decree No. 1036 in 2016 and led by the Interagency Committee to Combat Trafficking in Persons. (81) During the reporting period, the government implemented the strategy with participation from trafficking survivors and civil society. (25)
Progressive Plan for the Social Protection and Defense of Rights for Rural Workers†	Includes campaigns for the eradication of child labor, including its worst forms. Across 75 municipalities, 2,111 people received training on fundamental rights at work during the reporting period. (4) Created under the 2016 peace accord, this plan was implemented in 2018 in municipalities targeted for rural development. (4)
2016 Peace Accord (Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace)	Provides for the creation of the National Reincorporation Council to oversee the demobilization and release of minors from FARC's ranks. Under the policy, the government and FARC agreed to conduct a child labor eradication campaign, take immediate measures to eliminate the worst forms of child labor, strengthen onsite labor inspections, create a mobile inspection unit to reach rural areas, and increase access to education. (7,81) In 2018, the Progressive Plan for the Social Protection and Defense of Rights for Rural Workers was developed under this agreement, which includes campaigns for the eradication of child labor, including its worst forms. (4)
Roadmap for the Prevention and Elimination of Child Labor in Mining	Aims to reduce and eliminate child labor in mining through the following activities: (1) create municipal diagnostics, (2) define criteria to determine risks of child labor, (3) create mechanisms to focus municipal governments on addressing child labor, (4) create protocols and questionnaires to report child labor cases, (5) design strategies to strengthen coordination of child labor monitoring at the municipal level, and (6) design strategies to prevent and remove children from child labor. (82) The government did not provide information on activities taken under this roadmap in 2018 for inclusion in this report.
National Policy to Prevent the Recruitment of Children and Adolescents by Illegal Armed Groups	Directs actions to prevent the recruitment and use of children by illegal armed groups. Aims to address violence against children, including the worst forms of child labor, and improve interagency coordination. (83) In 2018, the government updated the policy through a presidential decree which mandates that specific institutions include prevention of child recruitment in their programming and operational focus. (25,84)
National Development Plan (Todos por un Nuevo País) (2014–2018)	Outlined Colombia's strategy to promote inclusive economic growth and national development. Sought to improve access to quality education, lengthen the school day to 7 hours, and provide preschool for children under age 5. (85) In 2018, the government cited trafficking in persons as one of the main crimes committed by organized criminal organizations in its forthcoming National Development Plan. (4)

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
Cooperative Agreement Between the Ministry of Mining and Energy and the ICBF to Prevent Child Labor in Mining	Aims to strengthen and implement initiatives to prevent and eradicate child labor in mining. (86,87) Under the agreement, ICBF provided training to 125 officials in 2018 on protocols for referring children engaged in mining to social services agencies in the departments of Cordoba, La Guajira, and Cesar. (4) ICBF also provided social services to 257 children engaged in or at risk of child labor in mining. (4)
Roadmap for the Restoration of Rights, Assistance, and Reparation for Children and Adolescent Victims of the Armed Conflict	Establishes protocols to assist child victims of armed conflict. Approved in 2016 and implemented through inter-institutional mechanisms in various departments. (9,88) The government continued to use the roadmap in 2018. (4)

† 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. (4,7,62,89-91)

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, which cover the main sectors where child labor has been identified in the country (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Present Against Child Labor	Program developed by ICBF to address child labor throughout the country. In 2018, the ICBF's mobile teams conducted 1,962 "Present Against Child Labor" workshops to combat child labor in 267 municipalities across the country, with 6,166 participants, including children, adolescents, and their families—with activities including family strengthening and education on fundamental rights restitution. (4,92,93)
Projects Addressing Commercial Sexual Exploitation of Children†	As part of the National Policy Guidelines for the Prevention of the Commercial Exploitation of Children, the Colombian government continued its Eyes Everywhere (<i>Ojos en Todas Partes</i>) public awareness campaign, which aims to prevent the commercial sexual exploitation of children in the tourism sector. Led by the Ministry of Commerce, Industry, and Tourism, and implemented in coordination with ICBF and the National Tourism Fund. (1,4,25,94) In 2018, it focused on the goal of better identifying solicitors and victims of child sex tourism. (4) The Government of Colombia also supports the "We Protect" program, a web-based tool to collect, monitor, and address complaints of commercial sexual exploitation of children. (95) ICBF also created the Colombia Present Against the Commercial Sexual Exploitation of Girls, Boys, and Adolescents campaign, an awareness-raising campaign on commercial sexual exploitation and call to action for the public to report cases. (65)
Model for Identification of Child Labor Risks	Pilot project led by ILO's Regional Initiative: Latin America and the Caribbean Free of Child Labor. Aims to design a system that classifies territories according to their probability of risk for child labor and identifies the principal factors associated with this risk based on existing databases in participating countries. (96) Participating countries include Argentina, Brazil, Colombia, Costa Rica, Jamaica, Mexico, and Peru. (96) The government did not provide information for activities taken under this model in 2018 for inclusion in this report.
Projects Addressing Trafficking in Persons	Eye on Trafficking† aims to increase awareness of human trafficking among high school students, and School Environments in Coexistence and Peace† focuses on identifying potential trafficking victims. (7) Ministry of Foreign Affairs' campaign, Do not Ignore Trafficking (<i>#AnteLaTrataNoSeHaga</i>), is directed at border populations with limited access to digital platforms. (97) In 2018, the Attorney General's Office launched the <i>#EsoEsCuento*</i> public awareness campaign to prevent Colombians from being engaged in domestic and international trafficking in persons crimes, employing social media and audiovisual tools in public spaces to raise awareness of false employment efforts. (4,25,65,98) Through the crime prevention program <i>Futuro Colombia</i> , coordinated by the Attorney General's Office, the government held prevention campaigns in 30 cities throughout the country. (65)
Development for Social Prosperity Programs†	More Families in Action (<i>Más Familias en Acción</i>) uses a conditional cash transfer program seeking to combat poverty and build human capital, United Network (<i>Red Unidos</i>) coordinates actions to reduce inequality and end extreme poverty, Healthy Generations (<i>Generaciones con Bienestar</i>) operates a children's rights program offering cultural and recreational activities for children ages 6 to 17 identified as vulnerable to the worst forms of child labor, and Youth in Action (<i>Jóvenes en Acción</i>) provides technical job training and conditional cash transfers to vulnerable urban youth ages 16 to 24. (99-106)

Colombia

SIGNIFICANT ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Mobile Teams for Comprehensive Protection—Child Labor (EMPI)†	Led by ICBF, assist families with children vulnerable to child labor by linking them to the National System of Family Well-Being. (7) In 2018, EMPI mobile teams strengthened procedures for providing assistance to children, adolescents, and their families, and expanded their capacity from 39 to 58 teams comprising 174 professionals nationwide. (4,69,107)
Public-Private Partnerships‡	Colombia Network Against Child Labor (<i>Red Colombia Contra el Trabajo Infantil</i>), a public-private partnership that builds on the UN Global Pact Initiative to create collaboration between Colombian businesses and MOL to eliminate child labor. Comprises 32 businesses and 17 partners that continued to collaborate in 2018. (4,108-111)
Differential Path to Life Program	Office of Presidential Counselor for Human Rights and ICBF-managed program, with support from USAID and other international organizations, that establishes a reintegration process for disengaged FARC minors. Has successfully reintegrated more than 124 rescued child soldiers as of May 2018. (4,25,76,114)
I Stay at School, Protecting My Dreams†	Ministry of Education-led program that provides strategies for teachers to prevent school desertion due to the worst forms of child labor, including forced recruitment, the use of children in illicit activities, and other forms of child exploitation by illegal non-state armed groups. (9) The government did not provide information on activities taken under this program in 2018 for inclusion in this report.
USDOL-Funded projects	Preventing and Reducing Child Labor and Forced Labor in Palm Oil Supply Chains (<i>Palma Futuro</i>), a \$6 million project that works to improve the implementation of social compliance systems that promote acceptable conditions of work and the prevention and reduction of child and forced labor in palm oil supply chains; Building a Generation of Safe and Healthy Workers, a \$11 million global project implemented by ILO with Colombia as one of eight countries that works to promote the safety and health of young workers; Promoting Compliance with International Labor Standards, which strengthens the institutional capacity of MOL to adequately enforce Colombian labor laws and promote social dialogue among organizations and their stakeholders; <i>Colombia Avanza</i> , a \$2 million project that focuses on building the capacity of civil society to more adequately combat child labor and other abuses in Colombia's coffee sector; Building the Capacity of Civil Society to Combat Child Labor and Improve Working Conditions in Colombia (<i>Pilares</i>), a \$2 million project that strengthens the capacity of civil society organizations to detect and address child labor and working conditions in gold mining; and We Are a Treasure (<i>Somos Tesoro</i>), a \$11.25 million, 4 year project to combat child labor and promote safe work in the mining sector, implemented by PACT, Inc., in partnership with the Alliance for Responsible Mining, Mi Sangre Foundation, and the Fund for Environmental Action and Childhood. Additional information is available on the USDOL website.
Campaigns Against Child Labor†	ICBF-led campaigns to increase coordination among ICBF, Child Protection Police, MOL, and municipal authorities on child labor issues, and to promote education about the risks of hazardous work. (59) In 2018, MOL also launched a campaign, "Working is not a child's task" (<i>Trabajar no es tarea de niños</i>), which aims to prevent and eliminate child labor through awareness-raising efforts. (4,115,116)
Anti-trafficking hotline	Ministry of Interior-led hotline that reports and tracks cases of human trafficking and facilitates access to social services for victims. (117) Continued to maintain the hotline in 2018. (4)

*Program was launched using the reporting period.

† Program is funded by the Government of Colombia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (4,9,118-123)

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 Colombia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Ensure that all labor inspectors have sufficient resources to perform inspections.	2009 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice and ensure the Ministry of Labor employs inspectors trained in victim identification of forced labor.	2009 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on labor law enforcement efforts, including information on training for inspectors and investigators, the total number of labor inspections conducted, the number of child labor violations found, penalties imposed that were collected for child labor violations, and whether criminal investigators receive initial training.	2009 – 2018
	Ensure that all adolescents who work in permissible sectors have received official authorization.	2015 – 2018
	Provide sufficient resources to criminal law enforcement officials to enforce criminal laws related to the worst forms of child labor.	2014 – 2018
	Ensure that labor inspectors receive timely approval from the Attorney General's Office and judicial officers to conduct timely inspections on private property.	2018
	Collect and publish data on penalties and sentencing for crimes related to the commercial sexual exploitation and trafficking of children.	2018
	Ensure that government efforts on human trafficking victim identification and assistance are adequately coordinated between agencies.	2018
Government Policies	Publish information on activities taken under all policies related to child labor, including its worst forms.	2018
Social Programs	Ensure that children are protected from armed conflict while at school.	2013 – 2018
	Expand efforts to improve access to education for all children, particularly for indigenous and Afro-Colombian children, including by improving transportation infrastructure, building more schools in rural areas, and increasing the number of teachers.	2013 – 2018
	Collect data on work activities and ages of workers as part of the National Household Survey questionnaires to allow for a determination of child labor rates.	2017 – 2018
	Publish information on activities taken under the I Stay at School, Protecting My Dreams and the Model for Identification of Child Labor Risks social programs.	2018

REFERENCES

- U.S. Embassy- Bogota. Reporting. February 19, 2016.
- U.S. Department of State. Trafficking in Persons Report- 2018: Colombia. Washington, DC: June 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/colombia/>.
- Government of Colombia. DANE, Boletín Técnico – Trabajo Infantil. April 6, 2018. http://www.dane.gov.co/files/investigaciones/boletines/ech/jobinfantil/bol_trab_inf_2017.pdf.
- U.S. Embassy- Bogota. Reporting. April 1, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Gran Encuesta Integrada de Hogares, Módulo de Trabajo Infantil, 2017. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Bogota. Reporting. March 17, 2017.
- The Coca-Cola Company. Colombia Sugar Industry Situational Analysis. March 2015. <http://assets.coca-colacompany.com/fd/d8/4c5ed29842cba83b99349b7a58af/colombia-sugar-industry-situational-analysis.pdf>.
- U.S. Embassy- Bogota. Reporting. April 5, 2018.
- Government of Colombia. Response to USDOL Request for Information. February 27, 2015.
- U.S. Embassy- Bogota. TVPRA reporting. November 7, 2017.
- Gómez Orozco, Juan Pablo. El zarpazo a las selvas. El Tiempo, December 16, 2015. <http://www.eltiempo.com/multimedia/especiales/mineria-ilegal-en-colombia-el-zarpazo-a-las-selvas/16460302>.
- Radio Caracol. Trabajo Infantil en el municipio de Soacha es preocupante. December 6, 2017. http://caracol.com.co/programa/2017/06/12/6am_hoy_por_hoy/1497273676_427667.html.
- Agencia Pandi. Niños y niñas exponen sus vidas mientras trabajan en la minería artesanal. May 30, 2007. Source on file.
- El País. En Cali hay por lo menos 2753 menores laborando, dice Ministerio del Trabajo. June 3, 2015. <http://www.elpais.com.co/elpais/cal/noticias/cal-hay-por-menos-2753-menores-trabajadores-dice-ministerio-trabajo>.
- U.S. Department of State official. Email communication to USDOL official. June 2, 2017.
- International Labor Organization. El Trabajo Forzoso en la Extracción de Madera. 2018. https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-lima/documents/publication/wcms_662424.pdf.
- Government of Colombia, Institute for Family Well-Being official. Interview with USDOL official. June 4, 2015. Source on file.
- El Tiempo. Explotación laboral infantil aumenta en Navidad en Bogotá. December 22, 2015. <http://www.eltiempo.com/archivo/documento/CMS-16464511>.
- El Espectador. En cinco localidades hay puntos críticos de trabajo infantil en Bogotá. June 12, 2017. <https://www.elespectador.com/noticias/bogota/en-cinco-localidades-hay-puntos-criticos-de-trabajo-infantil-en-bogota-articulo-698001>.
- El Colombiano. Medellín, a ocuparse en erradicar trabajo infantil. October 2, 2017. <http://www.elcolombiano.com/antioquia/medellin-a-ocuparse-en-erradicar-trabajo-infantil-IE7413486>.

SIGNIFICANT ADVANCEMENT

- 22 Cabrera, Natalia. Esclavitud Infantil, un Flagelo que Entristece a Nariño. Radio Nacional, April 24, 2017. <https://www.radionacional.co/noticia/trabajo-infantil/esclavitud-infantil-flagelo-que-entristece-a-narino>.
- 23 El País. La escalofriante cifra de niños trabajando en Cali que asusta a las autoridades. June 12, 2018. <https://www.elpais.com.co/calif-la-escalofriante-cifra-de-ninos-trabajando-en-que-asusta-a-las-autoridades.html>.
- 24 U.S. Department of State official. Email communication to USDOL official. June 1, 2018.
- 25 U.S. Embassy- Bogota. Reporting. March 8, 2019.
- 26 El Tiempo. En Bogotá, 148.899 menores dejaron escuela y juegos para trabajar. October 27, 2016. <http://www.eltiempo.com/bogota/cifras-del-trabajo-infantil-en-bogota-31356>.
- 27 Universidad Nacional de Colombia. Estadísticas no evidencian realidad del trabajo infantil. July 14, 2016. <http://agenciadenoticias.unal.edu.co/detalle/articulo/estadisticas-no-evidencian-realidad-del-trabajo.html>.
- 28 Government of Colombia. Análisis de la Situación de Explotación Sexual Comercial en Colombia: Una Oportunidad para Asegurar la Protección de Niños, Niñas y Adolescentes. December 2013. Source on file.
- 29 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Colombia (ratification: 2005) Published: 2015. Accessed November 1, 2015. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0:NO:13100:P13100_COMMENT_ID:3184779.
- 30 El Tiempo. 24.255 niños, bajo protección por violencia sexual. February 17, 2017. Source on file.
- 31 Caracol Radio Medellín. En Medellín aumenta la explotación sexual de menores por propios y turistas. August 23, 2017. http://caracol.com.co/emisora/2017/08/23/medellin/1503517157_235127.html.
- 32 U.S. Embassy- Bogota. Reporting. January 17, 2018.
- 33 UN Committee on the Rights of the Child. Concluding observations on the combined fourth and fifth periodic reports of Colombia. March 6, 2015: CRC/C/COL/CO/4-5. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/COL/CO/4-5&Lang=en.
- 34 Malaver, Carol. Mediante matoneo, obligan a jóvenes de colegios a unirse a bandas. El Tiempo, February 4, 2014. http://www.eltiempo.com/colombia/bogota/jovenes-son-obligados-a-unirse-a-bandas-con-matoneo_13428238-4.
- 35 Barragán Meneses, Karol. Red estaría reclutando a menores para prostituirlos en Bucaramanga. El Tiempo, July 26, 2017. <http://www.eltiempo.com/colombia/otras-ciudades/red-de-prostitucion-de-menores-en-bucaramanga-113364>.
- 36 The Global Initiative Against Transnational Organized Crime. Organized Crime and Illegally Mined Gold in Latin America. April 2016. <http://globalinitiative.net/organized-crime-and-illegally-mined-gold-in-latin-america/>.
- 37 Blu Radio. ELN Recluta Menores Venezolanos para Cometer Crímenes en Colombia: ICBF. December 27, 2018. <https://www.bluradio.com/nacion/eln-recluta-menores-venezolanos-para-cometer-crimenes-en-colombia-201025-ie435>.
- 38 HSB Noticias. Raspachines y esclavas sexuales_ destino de menores reclutados por disidencias en frontera. August 13, 2018. <https://hsbnoticias.com/noticias/judicial/raspachines-y-esclavas-sexuales-destino-de-menores-reclutado-447870>.
- 39 U.S. Embassy Bogota official. Email communication to USDOL official. July 5, 2019.
- 40 UN Security Council. Report of the Secretary-General on Children and Armed Conflict. June 20, 2019: A/73/907-S/2019/509. https://www.un.org/ga/search/view_doc.asp?symbol=S/2019/509&Lang=E&Area=UNDOC.
- 41 U.S. Department of State. Trafficking in Persons Report- 2019. June 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/colombia/>.
- 42 Human Rights Watch. Submission to the UN Committee on Economic, Social and Cultural Rights. August 9, 2017. <https://www.hrw.org/news/2017/08/09/submission-un-committee-economic-social-and-cultural-rights-advance-its-review>.
- 43 Government of Colombia. Circular Conjunta No. 16. April 10, 2018. Source on file.
- 44 Government of Colombia. Código de la Infancia y la Adolescencia, Ley 1098 of 2006. Enacted: November 8, 2006. http://www.oei.es/quipu/colombia/codigo_infancia.pdf.
- 45 Government of Colombia. Resolución 1796. Enacted: April 27, 2018. Source on file.
- 46 Government of Colombia. Resolución 3597. Enacted: October 3, 2013. http://www.icbf.gov.co/cargues/avance/docs/resolucion_mtra_3597_2013.htm.
- 47 Government of Colombia. Constitución (with modifications until 2013). Enacted: July 6, 1991. <http://bit.ly/P9JbS0>.
- 48 Government of Colombia. Ley 599 of 2000 - Código Penal (with modifications until 2014). Enacted: 2000. <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=6388>.
- 49 Government of Colombia Ley 418 of 1997. Enacted: December 26, 1997. http://www.secretariasenado.gov.co/senado/basedoc/ley_0418_1997.html.
- 50 Government of Colombia. Ley 548 of 1999. Enacted: December 23, 1999. <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=6676>.
- 51 Government of Colombia, Corte Constitucional. Sentencia C376-10. May 19, 2010. <http://www.corteconstitucional.gov.co/relatoria/2010/c-376-10.htm>.
- 52 Government of Colombia. Decreto 4807 of 2011. Enacted: December 20, 2011. http://www.mineducacion.gov.co/1621/articles-293375_archivo_pdf_decreto4807.pdf.
- 53 Government of Colombia. Proyecto de la ley mediante el cual se dictan medidas para contrarrestar la explotación. September 18, 2018. <http://leyes.senado.gov.co/proyectos/index.php/proyectos-ley/cuatrenio-2018-2022/2018-2019/article/138-mediante-el-cual-se-dictan-medidas-para-contrarrestar-la-explotacion-sexual-de-ninos-ninas-y-adolescentes-y-se-dictan-otras-disposiciones>.
- 54 Government of Colombia. Por la cual se formulan los lineamientos de política pública para la prevención de delitos realizados a través de medios informáticos o electrónicos. August 17, 2018. <http://leyes.senado.gov.co/proyectos/index.php/proyectos-ley/cuatrenio-2018-2022/2018-2019/article/74-por-la-cual-se-formulan-los-lineamientos-de-politica-publica-para-la-prevencion-de-delitos-realizados-a-traves-de-medios-informaticos-o-electronicos-en-contrade-ninos-ninas-y-adolescentes-se-modifica-el-codigo-penal-y-se-dictan-otras-disposiciones>.
- 55 Government of Colombia. Resolución No. 1128.15. Integración Unidades Especiales IVC. Enacted: 2015. Source on file.
- 56 U.S. Embassy- Bogota. Reporting. January 30, 2014.
- 57 U.S. Embassy- Bogota. Reporting. February 24, 2015.
- 58 Servicio Nacional de Aprendizaje. Resolución 2126 of 2013. 2013. http://www.icbf.gov.co/cargues/avance/docs/resolucion_sena_2126_2013.htm.
- 59 U.S. Embassy Bogotá official. Email communication to USDOL official. April 26, 2018.
- 60 Government of Colombia official. Interview with USDOL official. February 2018. Source on file.

- 61 CIA. The World Factbook. Accessed February 12, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 62 U.S. Embassy- Bogota. Reporting. March 17, 2015.
- 63 Fiscalía General de la Nación. Condenado enfermero por explotación sexual con menores. April 24, 2018. <https://www.fiscalia.gov.co/colombia/seccionales/condenado-enfermero-por-explotacion-sexual-con-menores/>.
- 64 El Tiempo. El prontuario del excapitán de la Armada condenado por explotación sexual. October 17, 2018. <https://www.eltiempo.com/colombia/otras-ciudades/el-prontuario-del-excapitan-de-la-armada-condenado-por-explotacion-sexual-282158>.
- 65 Government of Colombia. Acciones y Resultados de la República de Colombia en materia de Lucha contra la Trata de Personas durante el año 2018. 2018. Source on file.
- 66 Government of Colombia. Linea de Política Pública para la Prevención y Erradicación del Trabajo Infantil y la Protección Integral al Adolescente Trabajador. 2018. Source on file.
- 67 Government of Colombia. Decreto 87. Enacted: January 23, 2017. [http://es.presidencia.gov.co/normativa/normativa/DECRETO 87 DEL 23 ENERO DE 2017.pdf](http://es.presidencia.gov.co/normativa/normativa/DECRETO%2087%20DEL%20ENERO%20DE%202017.pdf).
- 68 Government of Colombia, Institute for Family Well-Being. Ampliación Información U.S. Department of Labor. April 14, 2014. Source on file.
- 69 El Universal. Refuerzan campaña de prevención del trabajo infantil en esta Semana Santa. March 27, 2018. <https://www.eluniversal.com.co/regional/refuerzan-campana-de-prevencion-del-trabajo-infantil-en-esta-semana-santa-274948-MCEU389984>.
- 70 Fondo Accion. Somos Tesoro Technical Progress Report. October 2017. Source on file.
- 71 Government of Colombia. Observatorio del Delito Trata de Personas_ Grupo de Lucha Contra Trata de Personas. 2018. <https://tratadepersonas.mininterior.gov.co/observatorio-del-delito-trata-de-personas>.
- 72 Government of Colombia. Decreto 552 of 2012. Enacted: March 15, 2012. <http://bit.ly/1eeMf5x>.
- 73 Government of Colombia. Decreto 4690 of 2007. Enacted: December 3, 2007. http://www.icbf.gov.co/cargues/avance/docs/decreto_4690_2007.htm.
- 74 Government of Colombia. Decreto 1434. August 3, 2018. <http://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=87880>.
- 75 Government of Colombia_CIPRUNNA. Informe de Gestión de la Secretaría Técnica de la Comisión CIPRUNNA. July 2018. <http://www.derechoshumanos.gov.co/observatorio/publicaciones/Documents/2018/180808-CIPRUNNA-baja.pdf>.
- 76 UN Security Council. Report of the Secretary-General on the United Nations Verification Mission in Colombia. December 27, 2017. https://colombia.unmissions.org/sites/default/files/90-day_report_of_the_sg_on_the_unvmc.pdf.
- 77 UN. Statement to the Security Council from the Special Representative of the Secretary-General and Head of the UN Mission in Colombia, Jearn Arnault. January 11, 2017. <http://www.un.org/undpa/en/speeches-statements/11012017/Colombia>.
- 78 US Department of Labor. Somos Tesoro Technical Progress Report. March 6, 2018. Source on file.
- 79 Government of Colombia. Política Nacional de Infancia y Adolescencia 2018-2030. June 2018. <https://www.icbf.gov.co/programas-y-estrategias/politica-nacional-de-infancia-y-adolescencia-20182030>.
- 80 Government of Colombia. Decreto 1036 of 2016. Enacted: June 24, 2016. http://www.mininterior.gov.co/sites/default/files/noticias/doc-20160630-wa0010_1.pdf.
- 81 Mesa de Conversaciones Para la Terminación del Conflicto y la Construcción de una Paz Estable y Duradera en Colombia. Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz Estable y Duradera. November 24, 2016. Source on file.
- 82 Fondo Acción. Roadmap for the Prevention and Elimination of Child Labor in Mining. May 2017. <http://es.calameo.com/read/0052478145df1cfc0b83e>.
- 83 Government of Colombia. Conpes 3673. Enacted: July 19, 2010. Source on file.
- 84 Government of Colombia. Decreto 134 de 2018. August 3, 2018. <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=87880>.
- 85 Government of Colombia. Ley 1753 de 2015 por la cual se expide el Plan Nacional de Desarrollo 2014-2018 'Todos por un nuevo país'. 2015. Source on file.
- 86 Government of Colombia. Convenio Interadministrativo GGC No. 1112 de 2017. February 24, 2017. Source on file.
- 87 Dataifx. MinMinas e ICBF firmaron alianza para combatir trabajo infantil en la minería. January 3, 2017. <http://dataifx.com/noticias/minminas-e-icbf-firmaron-alianza-para-combatir-trabajo-infantil-en-la-mineria>.
- 88 Government of Colombia. Lineamiento Técnico de las Modalidades del Programa de Atención Especializada para el Restablecimiento de Derechos a NNA Víctimas de Reclutamiento Ilícito. February 23, 2016. Source on file.
- 89 Government of Colombia. Ley No. 1804. Enacted: 2016. Source on file.
- 90 El Nuevo Siglo. Cundinamarca trabaja para erradicar el trabajo infantil. August 9, 2016. <http://www.elnuevosiglo.com.co/articulos/08-2016-ofensiva-cundinamarquesa-para-erradicar-el-trabajo-infantil>.
- 91 U.S. Department of State. Country Reports on Human Rights Practices- 2016: Colombia. Washington, DC: March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices-colombia/>.
- 92 Radio Caracol. CBF lanza en Medellín campaña: Presente contra el trabajo infantil. February 20, 2018. https://caracol.com.co/emisora/2018/02/21/medellin/1519169940_688850.html.
- 93 Government of Colombia_ICBF. El ICBF contribuye con la disminución del trabajo infantil. April 6, 2018. <https://www.icbf.gov.co/noticias/el-icbf-contribuye-con-la-disminucion-del-trabajo-infantil>.
- 94 El Universal. 'Ojos en todas partes' previene la explotación sexual infantil. September 28, 2015. Source on file.
- 95 CableNoticias. Colombia combatirá la explotación sexual de menores con esta herramienta. August 10, 2017. <http://www.cablenoticias.tv/vernoticia.asp?titulo=Colombia-combatira-la-explotacion-sexual-de-menores-con-esta-herramienta&WPLACA=104038>.
- 96 Regional Initiative Latin America and the Caribbean Free of Child Labor. Implementación del Modelo de Identificación del Riesgo de Trabajo Infantil en países piloto de América Latina y el Caribe: resultados y perspectivas futuras. September 2017. <http://iniciativa2025alc.org/sites/default/files/memoria-reunion-modelo-riesgo-TI.pdf>.
- 97 Government of Colombia. Cancillería participo en la Segunda Feria Binacional Colombia-Ecuador Contra la Trata de Personas. September 29, 2017. <http://www.cancilleria.gov.co/newsroom/news/cancilleria-participo-segunda-feria-binacional-colombia-ecuador-trata-personas>.

SIGNIFICANT ADVANCEMENT

- 98 Unicef. UNICEF y la Fiscalía unidos en la campaña #EsoEsCuento de prevención contra la Trata de Personas. 2018. <https://unicef.org.co/noticias/unicef-y-la-fiscalia-unidos-en-la-campana-esoescuento-de-prevencion-contra-la-trata-de>.
- 99 Government of Colombia, Departamento para Prosperidad Social. Informe de Gestión 2013. January 2014. Source on file.
- 100 Government of Colombia, Departamento para Prosperidad Social. Informe de Gestión 2014. January 2015. Source on file.
- 101 Government of Colombia, Departamento para Prosperidad Social. Informe de Gestión 2015. January 2016. Source on file.
- 102 Agencia Nacional para la Superación de la Pobreza Extrema. Informe de Gestión (Vigencia 2013) Enero – Diciembre 2013. 2013. Source on file.
- 103 RCN Radio. Congreso aprobó creación de 'Red Unidos' para superación de la pobreza extrema. April 27, 2016. http://www.rcnradio.com/nacional/congreso-aprobo-la-creacion-la-red-unidos-la-superacion-la-pobreza-extrema-colombia/?utm_source=dlvr.it&utm_medium=twitter.
- 104 Government of Colombia, Department for Social Prosperity. Más Familias en Acción. Accessed March 7, 2014. Source on file.
- 105 UN Human Rights Council. Annual Report of the United Nations High Commissioner for Human Rights - Addendum - Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Colombia. January 23, 2015: A/HRC/28/3/Add.3. Source on file.
- 106 Government of Colombia_ICBF. Programa Generaciones con Bienestar. March 28, 2019. <https://www.icbf.gov.co/bienestar/ninez-adolescencia/generaciones-con-bienestar>
- 107 Government of Colombia, ICBF. Con 39 Equipos Móviles de Protección Integral, el ICBF recorre el país para prevenir el trabajo infantil. November 23, 2017. <https://www.icbf.gov.co/con-39-equipos-moviles-de-proteccion-integral-el-icbf-recorre-el-pais-para-prevenir-el-trabajo>.
- 108 Government of Colombia. Conformación Red Colombia contral el Trabajo Infantil. 2014. Source on file.
- 109 Government of Colombia. Reglamento Red Colombia contral el Trabajo Infantil. 2014. Source on file.
- 110 Government of Colombia, Ministerio de Trabajo. Naciones Unidas reconoció gestión de La Red Colombia contra el Trabajo Infantil. July 27, 2015. Source on file.
- 111 Government of Colombia. Informe de Actividades Sector Trabajo al Congreso de la Republica. July 2017. Source on file.
- 112 USAID official. Email communication to USDOL official. April 1, 2015.
- 113 ILO-IPEC Geneva official. Email communication to USDOL official. February 22, 2016.
- 114 U.S. Embassy- Bogota. Reporting. February 22, 2018.
- 115 Government of Colombia. Lanza estrategia para erradicar el trabajo infantil en Colombia. December 15, 2018. http://www.mintrabajo.gov.co/prensa/mintrabajo-es-noticia/2018/-/asset_publisher/nMorWd1x7v1/content/lanzan-estrategia-para-erradicar-el-trabajo-infantil-en-colomb-1.
- 116 Government of Colombia. Ministra del Trabajo, Alicia Arango, lanza estrategia para prevenir y erradicar el Trabajo Infantil en Colombia. December 15, 2018. <http://www.mintrabajo.gov.co/web/guest/prensa/comunicados/2018/diciembre/ministra-del-trabajo-alicia-arango-lanza-estrategia-para-prevenir-y-erradicar-el-trabajo-infantil-en-colombia>.
- 117 U.S. Embassy- Bogota. Reporting. February 24, 2014.
- 118 Federación Nacional de Cajas de Compensación Familiar. Foníñez. Accessed March 25, 2016. Source on file.
- 119 Government of Colombia, Superintendencia del Subsidio Familiar. Informe Rendición de Cuentas: Superintendencia del Subsidio Familiar 2013. November 22, 2013. <https://docplayer.es/8319914-Informe-rendicion-de-cuentas-superintendencia-del-subsidio-familiar-2013.html>.
- 120 Government of Colombia, Ministerio de Educacion. Programa de Alimentación Escolar (PAE) Presupuesto y Cobertura. February 7, 2016. <http://www.mineducacion.gov.co/1759/w3-article-349951.html>.
- 121 Government of Colombia, Ministerio de Educacion. MinEducación le apuesta a la articulación intersectorial para consolidar el Programa de Alimentación Escolar. May 28, 2014. Source on file.
- 122 Government of Colombia, Ministerio de Educacion. Programa de Alimentación Escolar: Aspectos Generales. January 10, 2014. Source on file.
- 123 ILO. Promoting Compliance with International Labor Standards in Colombia. March 2017: Technical Progress Report. Source on file.

In 2018, Comoros made a moderate advancement in efforts to eliminate the worst forms of child labor. The government carried out labor inspections for the second consecutive year, adding routine and unannounced inspections in 2018. Under the National Policy for the Protection of Children, the government also established two pilot listening sessions for child victims of violence and gathered data from the listening sessions to improve child protection. In addition, the National Commission of Human Rights and Freedoms and the General Delegation organized trainings for the police, gendarmerie, and army on children's rights. However, children in Comoros engage in the worst forms of child labor, including in agriculture. Children also perform dangerous tasks in domestic work. A gap between the minimum age for work and compulsory education age leaves children ages 13 to 15 vulnerable to child labor. In addition, social programs to combat child labor are insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Comoros engage in the worst forms of child labor, including in agriculture. Children also perform dangerous tasks in domestic work. (1-5) Table 1 provides key indicators on children's work and education in Comoros.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	23.0 (42,145)
Attending School (%)	5 to 14	81.5
Combining Work and School (%)	7 to 14	20.8
Primary Completion Rate (%)		76.7

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey, 2012. (7)

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 manioc,† beans,† vanilla,† cloves,† and ylang-ylang† (8)
	Animal husbandry† (4)
	Fishing† (3,4,9)
Industry	Construction,† including in carpentry† (4)
	Extracting and selling marine sand† (8)
Services	Domestic work† (1,2,4,9-11)
	Street vending (3-5,12)
	Repairing cars† and bicycles,† including tire vulcanization† and battery charging† (4,8)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, street vending, baking, fishing, and agriculture (5,8,13)

† 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.

Comoros

MODERATE ADVANCEMENT

Some parents who are unable to care for their children send them to wealthier families that are expected to provide food, shelter, and schooling to the children in exchange for housework. In practice, some of these children receive care and an education, while many become domestic workers and are victims of labor exploitation and abuse. (3-5,13,14) In Comoros, it is a traditional practice to send children to Koranic teachers to receive an education. Some Koranic teachers, however, force their students to work in lieu of a school fee; girls usually perform domestic work, and boys perform agricultural labor. (4,5,14) In nearby Mayotte, which is administered by France, reports indicate that there are more than 3,000 unaccompanied children from Comoros, some of whom are exploited in the worst forms of child labor or may be vulnerable to trafficking. (5,14-16)

The Constitution guarantees free compulsory primary education until age 12 and states that no child younger than age 14 may be prevented from attending school, but this provision is not adequately enforced. In addition, although approximately equal numbers of boys and girls attended public primary schools, fewer girls completed primary education. (18,19) There are limited reports that, due to lack of school infrastructure and teacher availability, some primary and secondary schools had high student dropout rates, which disproportionately affected children from rural areas or poor and disadvantaged backgrounds. The Ministry of Education, in conjunction with UNICEF, is revising the school mapping system to ensure better access to education in rural areas. (19) However, the lack of school infrastructure and the limited availability of teachers may impede access to education, which may increase the vulnerability of children to the worst forms of child labor. (1,9,11,18,19)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Comoros has ratified most 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 Comoros' legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and the compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 129 of the Labor Code (20)
Minimum Age for Hazardous Work	Yes	18	Article 131(d) of the Labor Code; Article 7 of the Law to Combat Child Labor and Trafficking (20,21)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Dangerous Occupations; Article 131(d) of the Labor Code; Article 7 of the Law to Combat Child Labor and Trafficking (20-22)
Prohibition of Forced Labor	Yes		Articles 2.1 and 131 of the Labor Code; Article 13 of the Law to Combat Child Labor and Trafficking (20,21)
Prohibition of Child Trafficking	Yes		Article 131 of the Labor Code; Article 13 of the Law to Combat Child Labor and Trafficking (20,21)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 131 of the Labor Code; Articles 8–11 and 13 of the Law to Combat Child Labor and Trafficking; Articles 322 and 323 of the Penal Code (20,21,23)
Prohibition of Using Children in Illicit Activities	Yes		Article 131(c) of the Labor Code; Article 6(c) of the Law to Combat Child Labor and Trafficking (20,21)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 41 of Law No. 97-06/AF (24)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 6(a) of the Law to Combat Child Labor and Trafficking (21)
Compulsory Education Age	No	12	Article 2 of the Outline Act on the Education System (25)
Free Public Education	Yes		Article 1 of the Outline Act on the Education System; Preamble of the Constitution (25,26)

* No conscription (27)

The government has drafted a Penal Code and a Code of Criminal Procedures that increase the penalties for human trafficking crimes, and has submitted a proposal to ratify the Palermo Protocol on Trafficking in Persons; however, neither of these legislative proposals was enacted during the reporting period. (15,27-30)

The Labor Code allows children under the minimum age to perform light work in domestic work or agriculture as long as it does not interfere with education or physical or moral development. (20) The Labor Code, however, does not specify the conditions under which light work may be conducted or limit the number of hours for light work, as defined by international standards on child labor. (31) In addition, the Labor Code applies only to workers who perform work under a formal employment agreement, which does not conform to international standards that require all children to be protected under the law establishing a minimum age for work. (3,31)

Children in Comoros are required to attend school only up to age 12. This standard makes children ages 13 through 15 vulnerable to the worst forms of child labor because they are not required to attend school but are not legally permitted to work. (32)

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 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 (MOL)	Enforces child labor laws, investigates allegations of child labor, and refers cases of the worst forms of child labor for criminal investigation. (4,5,18)
Police Morals and Minors Brigade	Investigates allegations of child abuse, including child trafficking, and refers cases for prosecution. (4,17,33) Operate nationwide, covering the islands of Grande Comore, Anjouan, and Mohéli. Collaborates with the <i>Services d'Ecoute</i> . (8,34,35)
Ministry of Justice (MOJ)	Prosecutes criminal cases, including those related to child trafficking. (4,27)
National Commission for Human Rights and Freedoms (CNDHL)	Receives complaints of the worst forms of child labor, investigates violations, and refers cases to the MOJ for prosecution. (12,34)

MODERATE ADVANCEMENT

Labor Law Enforcement

In 2018, labor law enforcement agencies in Comoros took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate labor law enforcement, including financial and human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	4 (4,12)	4 (35)
Inspectorate Authorized to Assess Penalties	Yes (4,13)	Yes (35)
Initial Training for New Labor Inspectors	N/A	Yes (35)
Training on New Laws Related to Child Labor	N/A	N/A (35)
Refresher Courses Provided	Yes (4)	No (35)
Number of Labor Inspections Conducted	15 (4)	25 (35)
Number Conducted at Worksite	15 (4,12)	25 (35)
Number of Child Labor Violations Found	0 (4,12)	0 (35)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	0 (35)
Number of Child Labor Penalties Imposed that Were Collected	N/A	0 (35)
Routine Inspections Conducted	No (4,13)	No (8,35)
Routine Inspections Targeted	N/A	No (8,35)
Unannounced Inspections Permitted	Yes (4)	Yes (35)
Unannounced Inspections Conducted	No (4,13)	Yes (35)
Complaint Mechanism Exists	Yes (36)	Yes (35)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Yes (35)

The number of labor inspectors is likely insufficient for the size of Comoros' workforce, which includes approximately 278,500 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Comoros would employ about 7 inspectors. (13,37-39) Reports indicate that there is a lack of training, equipment, transportation, and funding available to conduct child labor inspections and legal proceedings. (4,17,28,35,39,40)

Reports indicate that this is the second consecutive year that there has been an increase in complaint-based labor inspections carried out; however, the number of inspections remains insufficient, and none of the inspections carried out were due to complaints related to child labor. (35)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Comoros took actions to combat child labor (Table 7). However, gaps exist within the operations of the Morals and Minors Brigade that may hinder adequate criminal law enforcement, including allocating financial and human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	No (4)	No (35)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (4)	N/A (35)
Refresher Courses Provided	No (4)	No (35)
Number of Investigations	Unknown (4)	Unknown (35)
Number of Violations Found	Unknown (4)	Unknown (35)
Number of Prosecutions Initiated	Unknown (4)	Unknown (35)
Number of Convictions	Unknown (4)	Unknown (35)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (35)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (4)	Yes (8,35)

In 2018, the National Commission of Human Rights and Freedoms and the General Delegation of Human Rights organized a training for the police, gendarmerie, and army on children's rights on the island of Anjouan. (35)

Reports indicate that a lack of trained staff, equipment, transportation, and funding inhibit criminal law enforcement efforts on the worst forms of child labor. (1,3-5,33) Due to limited financial and human resources, police are, in some cases, unable to open an investigation unless the victim can contribute a portion of the expenses associated with the investigation, including fuel and telephone fees. Thus, investigations are sometimes reactive and may depend on the victim's wealth and knowledge of the criminal justice system, making cases related to violations of the worst forms of child labor unlikely to be investigated. (3,29)

The *Services d'Ecoute* offices, which are funded by the Government of Comoros, investigate allegations of violence against children, including the worst forms of child labor, and refer perpetrators to criminal authorities for prosecution. (29,35)

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 adequate coordination of efforts to address child labor, including the efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
National Committee against Child Labor	Coordinates government efforts on child labor. Chaired by the MOL. (4,11,31)
Monitoring Group for the Fight Against Trafficking in Persons	Coordinates actions against human trafficking and implements the Anti-Trafficking in Persons Action Plan. Headed by the Secretary General of the Government and includes representatives from the MOL, MOJ, CNDHL, police, international organizations, and NGOs. (3-5,33)

Research could not determine whether the National Committee against Child Labor and the Monitoring Group for the Fight against Trafficking in Persons were active or received funding during the reporting period.

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 implementing a new national child labor action plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy for the Protection of Children (2016–2021)	Aims to improve child protection in Comoros; includes components to combat the worst forms of child labor, with a focus on child trafficking. Led by the Ministry of Health, Solidarity, Social Cohesion and Gender. (4,5,11,17) In 2018, established two pilot listening services to protect child victims of violence and created a database to harmonize the collection of information from the listening services. (8,35)
Strategy for Accelerated Growth and Sustainable Development (2015–2021)	Aims to reduce poverty, promote sustainable development, and increase access to social services. Integrates strategies that target child labor. (41,42) In 2018, the Strategy for Accelerated Growth and Sustainable Development was extended by the government until 2021. (29)

In 2018, the government did not adopt the draft National Action Plan to Combat Child Labor. (43)

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 funding and adequacy of efforts to address the problem in all sectors.

MODERATE ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor

Program	Description
Decent Work Country Program (2015–2019)	Program that aims to guarantee labor rights and extend social protection programs for vulnerable populations, including by improving the operational environment for the elimination of child labor and its worst forms. (10) Overseen by the MOL and supported by the ILO. (44) In 2018, conducted a training to improve the capacity of tripartite constituents, including government officials and social partners, on ILO conventions. (45)
<i>Services d'Ecoute</i> †	Government program that provides listening and protection services to vulnerable and abused children. Comprises four government-operated units on the islands of Anjouan, Grande Comore, and Mohéli. (3,15,35,46,47) In 2018, added a second hotline and additional listening service units. (29,35)
UNICEF Country Program (2015–2021)	\$20,885 UNICEF-funded program that supports the government's efforts to strengthen children's rights to survival, development, education, protection, and social inclusion. (1,29,41) In 2018, continued to fund assistance for victims of the worst forms of child labor operated by the <i>Services d'Ecoute</i> . (4,28,35)
Early Childhood Development Program*	\$2,000,000 Dubai Cares-funded program that aims to improve school readiness and enhance lower primary learning outcomes and retention rates. The program is set to benefit at least 269,382 children and 1,725 teachers, school head teachers, and inspectors across all 394 primary schools in Comoros. (48,49)

* Program was established during the reporting period.

† Program is funded by the Government of Comoros.

In 2018, the government continued to fund the *Services d'Ecoute* on all three islands, which conducted public awareness campaigns and worked closely with officials on Anjouan to ensure that families who send their children to stay with relatives comply with the requirement to have a judge approve the agreement. (15)

Although the government has programs that target child labor, their scope is insufficient to fully address the extent of the problem, particularly in agriculture and domestic work. (17,27,28,33) Comoros also lacks a specific program to assist children exploited by religious instructors.

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 Comoros (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2014 – 2018
	Ensure that the law's light work provisions prescribe the number of hours per week that light work may be undertaken, and specify the conditions under which light work may be conducted, as defined by international standards on child labor.	2012 – 2018
	Ensure that the law's minimum age provisions and protections apply to children in unpaid or non-contractual work.	2015 – 2018
	Raise the compulsory education age to 15 to be equivalent to the minimum age for work.	2009 – 2018
Enforcement	Strengthen the labor inspectorate by conducting targeted inspections rather than performing inspections based solely on complaints received.	2017 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018
	Increase labor inspections and carry out labor inspections to enforce compliance with laws that address child labor.	2018
	Publish information on the labor inspectorate's funding and increase the resources, training, available transportation and equipment, and number of labor inspectors responsible for enforcing laws on child labor to provide adequate coverage of the workforce.	2009 – 2018
	Publish information on the number of criminal law investigations, violations found, prosecutions initiated, and convictions related to cases of the worst forms of child labor.	2009 – 2018
	Increase the resources, training, available transportation and equipment, and number of criminal law investigators responsible for enforcing laws on child labor.	2009 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that there are sufficient funds and no restrictions to investigate crimes related to the worst forms of child labor and allocate funds to conduct investigations.	2018
	Carry out criminal investigations to enforce compliance with the laws that address child labor.	2009 – 2018
Coordination	Ensure that the National Committee Against Child Labor and the Monitoring Group for the Fight Against Trafficking in Persons are active and receive adequate funding to fulfill their mission.	2014 – 2018
Government Policies	Adopt the draft National Action Plan to Combat Child Labor.	2016 – 2018
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including girls, by increasing school infrastructure and teacher availability.	2014 – 2018
	Implement and expand existing programs to address the scope of the child labor problem, particularly in agriculture and domestic work and under the tutelage of religious instructors.	2009 – 2018
	Implement programs to assist children exploited by religious instructors and return unaccompanied minors.	2016 – 2018

REFERENCES

- UNICEF. Comoros Country programme document 2015-2019. September 11, 2014. http://www.unicef.org/about/execboard/files/2014-PL5_Comoros_CPD-final_approved-EN.pdf.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Comoros (ratification: 2004) Published: 2015. Accessed November 19, 2015. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3189324.
- UNODC. Trafficking in Persons Assessment, The Union of the Comoros (Grande Comore, Anjouan and Moheli). July 2015. Source on file.
- U.S. Embassy- Antananarivo. Reporting. January 20, 2018.
- U.S. Department of State. Trafficking in Persons Report- 2018: Comoros. Trafficking in Persons Report- 2018: Comoros. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/comoros/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed January 4, 2018. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from the Demographic and Health Survey (DHS), 2012. Analysis received January 12, 2018. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Antananarivo official. Email communication to USDOL official. March 12, 2019.
- ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Comoros (ratification: 2004) Published: 2014. Accessed November 5, 2014. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3146874.
- ILO. Programme Pays pour le Travail Décent 2015 - 2019 - Union des Comores. 2015. http://www.ilo.org/wcmsp5/groups/public/---africa/---ro-addis_ababa/---ilo-antananarivo/documents/genericdocument/wcms_445887.pdf.
- Government of Comoros. Politique Nationale de Protection de l'Enfant en Union des Comores. October 13, 2016. Source on file.
- U.S. Embassy- Antananarivo. Reporting. February 2, 2017.
- U.S. Embassy- Antananarivo. Reporting. April 1, 2016.
- Fernald, Briana. Examining Human Rights in Comoros. October 20, 2017. <https://borgenproject.org/human-rights-in-comoros/>.
- U.S. Embassy- Antananarivo. Reporting. March 15, 2019.
- France Info. À Mayotte, plus de 3 000 enfants sont livrés à eux-mêmes dans la rue. March 3, 2018. https://www.francetvinfo.fr/sante/enfant-ado/a-mayotte-plus-de-3-000-enfants-sont-livres-a-eux-memes-dans-la-rue_2648552.html.
- U.S. Department of State. Trafficking in Persons Report- 2017: Comoros. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/comoros/>
- U.S. Department of State. Country Reports on Human Rights Practices- 2018: Comoros. Washington, DC. March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/comoros/>
- ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) - Comoros (ratification: 2004). Published: 2018. Accessed. February 15, 2019. https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3337546.
- Government of Comoros. Loi N°12- Abrogeant, modifiant et complétant certaines dispositions de la Loi N°84-108/PR Portant Code du Travail. Enacted: June 28, 2012. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/91298/105824/F-496652550/COM-91298.pdf>.
- Government of Comoros. Loi N°14-034/AU portant lutte contre le travail et la traite des enfants. Enacted: December 22, 2014. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/98176/116722/F962391713/COM-98176.pdf>.
- Government of Comoros. Liste des travaux dangereux aux Comores. Enacted: 2012. Source on file.
- Government of Comoros. Loi n°- 082 P/A.F - Loi 95-012/AF portant Code Pénal (Crimes et délits). Enacted: September 18, 1995. http://www.wipo.int/wipolex/en/text.jsp?file_id=208475.
- Government of Comoros. Loi N° 97-006/AF Portant Statut des personnels militaires de la République Fédérale Islamique des Comores. Enacted: July 21, 1997. Source on file.
- Government of Comoros. Loi N° 94-035/AF Portant orientation sur l'éducation. Enacted: January 20, 1995. Source on file.
- Government of Comoros. Constitution de l'Union des Comores. Enacted: December 23, 2001. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/72696/74026/F-92095240/COM-72696.pdf>.
- U.S. Embassy- Antananarivo. Reporting. February 13, 2017.
- U.S. Embassy- Antananarivo. Reporting. February 20, 2018.

MODERATE ADVANCEMENT

- 29 UNICEF. UNICEF Annual Report 2017 Comoros. February 19, 2019. https://www.unicef.org/about/annualreport/files/Comoros_2017_COAR.pdf.
- 30 UN Human Rights Council. National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*: Comoros. November 6, 2018: A/HRC/WG.6/32/COM/1. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/332/60/PDF/G1833260.pdf?OpenElement>.
- 31 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Comoros (ratification: 2004) Published: 2015. Accessed November 19, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3189321.
- 32 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Comoros (ratification: 2004) Published: 2014. Accessed November 6, 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3147123.
- 33 Maestral International. Evaluation du système de protection de l'enfant dans l'Union des Comores: Rapport des principaux résultats. January-May 2016. https://www.unicef.org/evaldatabase/files/Rapport_evaluation_final_Comoros_2016-002.pdf.
- 34 Comores Droit. L'UNICEF équipe la Commission Nationale des Droits de l'Homme et des Libertés (CNDHL). January 15, 2016. <http://www.comores-infos.net/lunicef-equipe-la-commission-nationale-des-droits-de-lhomme-et-des-libertes-cndhl/>.
- 35 U.S. Embassy- Antananarivo. Reporting. January 25, 2019.
- 36 U.S. Embassy- Antananarivo. Reporting. February 28, 2018.
- 37 U.S. Embassy- Antananarivo official. Email communication to USDOL official. June 04, 2018.
- 38 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>
- 39 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 40 ILO Committee of Experts. Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Comoros (ratification: 1978) Published: 2017. Accessed November 6, 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3300060.
- 41 UNICEF. UNICEF Annual Report 2014 Comoros. June 11, 2015. http://www.unicef.org/about/annualreport/files/Comoros_Annual_Report_2014.pdf.
- 42 Government of Comoros. Stratégie de Croissance Accélérée et de Développement Durable (SCA2D). January 27, 2015. Source on file.
- 43 U.S. Embassy official. Email communication to USDOL official. April 11, 2019.
- 44 ILO. Dans le cadre de l'opérationnalisation de La Maison de l'Emploi, 50 jeunes formées et aptes à intégrer le monde du travail. August 8, 2017. http://www.ilo.org/addisababa/countries-covered/comoros/WCMS_568607/lang--fr/index.htm.
- 45 U.S. Embassy official. Email communication to USDOL official. April 15, 2019.
- 46 UNICEF. UNICEF Annual Report 2016 Comoros. June 2017. https://www.unicef.org/about/annualreport/files/Comoros_2016_COAR.pdf.
- 47 Comores Droit. Les services d'écoute et de protection des enfants. November 16, 2018. <http://comoresdroit.centerblog.net/2381-des-services-d-ecoute-et-de-protection-des-enfants>.
- 48 Dubai Cares. Dubai Cares launches two new programs in Comoros and The Gambia. July 11, 2018. <http://www.dubaicare.ae/en/news/media-library/news-releases/dubai-cares-launches-two-new-programs-in-comoros-and-the-gambia.html>.
- 49 Gulf News. Dubai Cares launches child development programmes in Comoros, Gambia. July 11, 2018. <https://gulfnews.com/uae/education/dubai-cares-launches-child-development-programmes-in-comoros-gambia-1.2249881>.

Congo, Democratic Republic of the

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2018, the Democratic Republic of the Congo made a minimal advancement in efforts to eliminate the worst forms of child labor. The government convicted two former militia leaders of war crimes, including for the recruitment and use of children in armed conflict. The Ministry of Mines also launched a traceability and monitoring system for artisanal mines to detect cases of child labor. However, despite new initiatives to address child labor, the Democratic Republic of the Congo is receiving an assessment of minimal advancement because it continued a practice that delayed advancement in eliminating the worst forms of child labor. Research indicates that labor inspectors failed to conduct any worksite inspections for the third year in a row. Labor inspections are a key tool for identifying child labor violations, and their absence makes children more vulnerable to the worst forms of child labor. In addition, members of the Armed Forces of the Democratic Republic of the Congo detained and sometimes committed extra-judicial killing of boys due to their perceived support or affiliation with non-state armed groups. Children in the Democratic Republic of the Congo engage in the worst forms of child labor, including in the forced mining of gold, tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite), and are used in armed conflict, sometimes as a result of forcible recruitment or abduction by non-state armed groups. Other gaps remain, including a lack of trained enforcement personnel, limited financial resources, poor coordination of government efforts to combat child labor, and laws mandating free primary education which are not enforced.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Democratic Republic of the Congo (DRC) engage in the worst forms of child labor, including in the forced mining of gold, tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite), and are used in armed conflict, sometimes as a result of forcible recruitment or abduction by non-state armed groups. (1-7) Table 1 provides key indicators on children's work and education in the DRC. 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	35.8 (Unavailable)
Attending School (%)	5 to 14	77.3
Combining Work and School (%)	7 to 14	37.1
Primary Completion Rate (%)		70.0

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2019. (8)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey, 2013–2014. (9)

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	Farming, including tilling fields, planting seeds, watering crops, carrying heavy loads,† weeding, harvesting crops, and use of chemical products and machetes in the production of beans, corn, manioc, rice, and sweet potatoes (10-14)
	Fishing, including maintaining fishing tools, baiting hooks, transporting heavy loads, using explosives, and salting, smoking, and packaging fish (10-12,14)

Congo, Democratic Republic of the

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Agriculture	Herding and raising livestock such as chickens, goats, and pigs, including feeding, cleaning cages or stalls, and disposing of waste (11,12,15) Hunting (10,15)
Industry	Mining,† including carrying heavy loads,‡ digging, sifting, sorting, transporting, using explosives, washing, and working underground† in the production of diamonds, copper, cobalt ore (heterogenite), gold, tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite) (1,4,5,10,13,14,16-19) Working as auto mechanics and in carpentry and craft workshops (10) Working on construction sites and building roads (10)
Services	Domestic work (10,13,14) Driving motorcycle taxis (14) Street work, including vending, garbage scavenging, and carrying heavy loads (10,11,14)
Categorical Worst Forms of Child Labor‡	Forced mining of gold, tantalum (coltan), tin (cassiterite), and tungsten (wolframite), each sometimes as a result of debt bondage (3-5) Forced domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking (3,4,10,18,20-23) Use in illicit activities, including for spying, carrying stolen goods, and smuggling minerals (3,20,24,25) Forced recruitment of children by non-state armed groups for use in armed conflict, including as checkpoint monitors, combatants, concubines, domestic workers, field hands, human shields, looters, porters, spies, and tax collectors at mining sites (3,6,7)

† 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.

International organizations estimate that there are between 125 and 150 indigenous and foreign non-state armed groups operating within the DRC. (3,27) Some of these armed groups—including *Forces Démocratiques de Libération du Rwanda* (FDLR), *Mayi Mayi Mazembe*, *Kamuina Nsapu Mayi Mayi* groups, *Nduma Défense du Congo* (NDC/Renove), *Nyatura*, and *Rayia Mutomboki*—continued to abduct and recruit children for use in armed conflict. (6,7,26) UNICEF and other international organizations estimate that between 40 and 70 percent of the militias in central DRC include children, some as young as age 5. (25) Roughly half of all children separated from armed groups were under the age of 15. (26) Limited research indicates that some members of the *Armed Forces of the Democratic Republic of the Congo* (FARDC) may have collaborated with non-state armed groups known for recruiting children, including coordinating operations or selling arms and munitions. (3,6,27-29) Although there is strong evidence of children engaged in armed conflict, commercial sexual exploitation, and forced labor in mining, there is a lack of information on the overall nature of child labor because a comprehensive, stand-alone, child labor survey has never been conducted in the DRC. (12)

The government has mandated free primary education, but these laws were not implemented throughout the country, and some families are required to pay for school uniforms, tuition, and additional fees, which may be prohibitive. (1,10,12,16,19,23,30-32) Children may sometimes join armed groups or engage in child labor in artisanal mines hoping to earn money for school-related expenses. (1,4,16,17,25,30-32) Schools throughout the DRC are overcrowded, understaffed, structurally damaged by conflicts, occupied by internally displaced persons, or require students to travel long distances. (1,2,23,25,33-35) Children and teachers also face difficulty in accessing education due to their large-scale internal displacement and fear of violence, being forcibly recruited, or sexually assaulted at or on their way to school. (23,25,33-37) Non-state armed groups attacked 89 schools between January and September 2018, and FARDC attacked 3 schools. (26) Furthermore, an Ebola outbreak in northeastern DRC impacted some students’ access to education as families fled the affected areas or others kept their children at home for fear of transmission at school. Additionally, frequent teacher strikes occurred as a result of irregular payment of teacher salaries. (14,38)

UNICEF estimates that only 14 percent of children under age 5 have birth certificates. (39) Low rates of birth registration leave many children vulnerable to child labor because it makes age verification difficult during the FARDC recruitment campaigns and hinders efforts to identify and separate children associated with armed groups. (4,11,35)

Congo, Democratic Republic of the

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

II. LEGAL FRAMEWORK FOR CHILD LABOR

The DRC 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 the DRC's legal framework to adequately protect children from the worst forms of child labor, including its compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 6 of the Labor Code; Article 50 of the Child Protection Code (40-42)
Minimum Age for Hazardous Work	Yes	18	Article 10 of the Decree Establishing the Conditions for Children's Work (43)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 8–15 of the Decree Establishing the Conditions for Children's Work; Articles 26 and 299 bis of the Mining Code; Article 8b of the Decree on Validation Procedures for Artisanal Mines; Article 125 of the Labor Code (40,41,43-47)
Prohibition of Forced Labor	Yes		Articles 2 and 3 of the Labor Code; Articles 53 and 187 of the Child Protection Code; Articles 16 and 61 of the Constitution; Article 8 of the Decree Establishing the Conditions for Children's Work (32,40,42,43)
Prohibition of Child Trafficking	Yes		Article 3 of the Labor Code; Articles 53, 162, and 187 of the Child Protection Code; Article 174j of the Penal Code; Article 8 of the Decree Establishing the Conditions for Children's Work (40,42,43,48)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 3 of the Labor Code; Articles 53, 61, 169, 173, 179–180, 182–183, and 187 of the Child Protection Code; Articles 174b, 174j, 174m, and 174n of the Penal Code; Article 8 of the Decree Establishing the Conditions for Children's Work (40,42,43,48)
Prohibition of Using Children in Illicit Activities	Yes		Article 3 of the Labor Code; Article 8 of the Decree Establishing the Conditions for Children's Work; Articles 53, 187–188, and 194 of the Child Protection Code (40,42,43)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 27 of the Law on Armed Forces; Articles 53, 71, and 187 of the Child Protection Code (40,49)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 7 of the Law on Armed Forces; Article 27 of the Law on the Military Status of the Congolese Armed Forces; Articles 53, 71, and 187 of the Child Protection Code (40,49,50)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 53, 71, and 187 of the Child Protection Code; Article 190 of the Constitution (32,40)
Compulsory Education Age	No	12‡	Article 38 of the Child Protection Code; Articles 7.21, 12, and 72 of the Law on National Education; Article 43 of the Constitution (32,40,51)

Congo, Democratic Republic of the

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Free Public Education	Yes		Article 38 of the Child Protection Code; Article 43 of the Constitution; Article 38 of the Child Protection Code; Articles 12 and 72 of the Law on National Education (32,40,51)

* No conscription (15)

‡ Age calculated based on available information (31,40,51)

In March 2018, the President signed into law a new Mining Code which was adopted by the National Assembly and Senate in December 2017. This law explicitly punishes individuals for using child labor in mining or selling ore mined with child labor. (43)

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, the absence of worksite inspections conducted at the national level in the DRC may have impeded the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Labor, and Social Welfare (MOL)	Investigates cases related to child labor, including its worst forms. (33) Refers cases of child labor to the Ministry of Justice and Human Rights (MOJ) for prosecution. (14)
Ministry of Justice and Human Rights (MOJ)	Enforces criminal laws related to child labor. (11,14) Oversees five juvenile courts in Kinshasa and assists the International Criminal Court to conduct investigations and prosecute individuals who use children in armed conflict. (14,27,35)
Ministry of the Interior	Investigates allegations of human trafficking rings, refers child labor cases to the MOJ for prosecution, and provides ongoing support to victims. (14,27) In the case of the Police Unit for Child Protection and Combating Sexual Violence, combats conflict-related sexual and gender-based violence against women and children, protects children and women who are victims of physical abuse, and ensures the demobilization of children. (14,52,53) In 2018, became the primary coordination body for the trafficking in persons working group. (27)
Office of the President's Personal Representative on Sexual Violence and Child Recruitment	Supports and coordinates the efforts of government officials and international bodies to combat sexual violence and the use of children in armed conflict. (33,54) Compiles data on prosecutions in military and civil courts involving sexual violence against girls and maintains a hotline for reporting cases. (27)
Ministry of Defense (MOD)	Investigates and prosecutes in military courts military officials suspected of recruiting and using child soldiers, and leads the implementation of the Action Plan to End the Recruitment and Use of Child Soldiers. Through its Department of Child Protection, coordinates actions with UNICEF. (14) Through its Children Associated with Armed Forces and Armed Groups Unit, coordinates demobilization, disarmament, and reintegration activities. (27,55)
Ministry of Gender and Family (MOGF)	Oversees and investigates cases related to the commercial sexual exploitation of children. (14)
Ministry of Social Affairs, Solidarity, and Humanitarian Action (MINASA)	Monitors humanitarian programs and coordinates with key actors to promote social services to vulnerable groups, including street children, human trafficking victims, and child soldiers. (14)

Labor Law Enforcement

In 2018, the absence of worksite inspections conducted at the national level in the DRC may have impeded the enforcement of child labor laws (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (15)	Unknown (14)
Number of Labor Inspectors	200 (15)	200 (14)
Inspectorate Authorized to Assess Penalties	Yes (15)	Yes (14)
Initial Training for New Labor Inspectors	Unknown (15)	No (14)

Congo, Democratic Republic of the

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Training on New Laws Related to Child Labor	N/A (15)	No (14)
Refresher Courses Provided	No (15)	No (14)
Number of Labor Inspections Conducted	0 (15)	0 (14)
Number Conducted at Worksite	0 (15)	0 (14)
Number of Child Labor Violations Found	0 (15)	Unknown (14)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (15)	Unknown (14)
Number of Child Labor Penalties Imposed that Were Collected	N/A (15)	Unknown (14)
Routine Inspections Conducted	No (15)	No (14)
Routine Inspections Targeted	N/A (15)	N/A
Unannounced Inspections Permitted	Yes (15)	Yes (14)
Unannounced Inspections Conducted	No (15)	No (14)
Complaint Mechanism Exists	Yes (15)	Yes (14)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (14)

The number of labor inspectors is likely insufficient for the size of the DRC's workforce, which includes over 31 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, the DRC would employ about 784 labor inspectors. (56,57) In addition, the government did not allocate funds for enforcement agencies to conduct inspections or investigations, thereby limiting its ability to adequately enforce child labor law provisions. (14,26,33)

Implementing decrees for the Child Protection Code have not been adopted. In addition, penalties for criminal violations related to the worst forms of child labor—including the use of children in armed conflict—are 1 to 3 years of imprisonment with fines as high as \$130, which are insufficient to serve as deterrents. (3,21,41,43,58)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in the DRC 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 the allocation of financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	No (9)	No (14)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (15)	No (14)
Refresher Courses Provided	No (15)	Yes (3)
Number of Investigations	Unknown (15)	Unknown (14)
Number of Violations Found	1,031 (15)	2,255 (27)
Number of Prosecutions Initiated	1 (59)	13‡ (26)
Number of Convictions	1 (60)	2‡ (26,61)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (62,63)	Yes (7,61,64)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (3)

‡ Data are from January 1, 2018 to September 20, 2018.

In 2018, the government made efforts to hold perpetrators of the worst forms of child labor accountable. The Ministry of the Interior identified two child victims of sex trafficking, who were repatriated to the Republic of the Congo by the Ministry of Gender and Family. (27) In South Kivu, a military tribunal sentenced Lieutenant Colonel Maro Ntumwa, former leader of a Mai Mai group known for using children in armed conflict, to 20 years in prison for crimes against humanity and war crimes, including the sexual slavery of girls. (61) In North Kivu, a military tribunal convicted Dominique Buyenge of war crimes for his role in the recruitment and use of children in armed conflict and sentenced him to life imprisonment; and hearings began in the trial of Ntabo Ntaberi Sheka, a militia leader known for the forced recruitment of boys. (7,64) Furthermore, testimony continued at the

Congo, Democratic Republic of the

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

International Criminal Court against Bosco Ntaganda, former leader of the *Forces Patriotiques pour la Libération du Congo* (FPLC). He is accused of crimes against humanity, including the forced recruitment of children in armed conflict and sexual slavery of girls. (65,66)

During the reporting period, an international organization verified two cases of children used—but not recruited—in support roles by the FARDC, one for sexual slavery and domestic work and the other for forced labor. Although the commander allegedly responsible for these offenses was redeployed to a different regiment, he was not otherwise held accountable. (3) However, impunity remained a concern as the government did not consistently hold perpetrators accountable, and some officials may be complicit in helping perpetrators avoid prosecution. (3)

A lack of coordination among ministries in conducting investigations, collecting data, and providing services to victims hinders the government's ability to adequately combat the worst forms of child labor. (3,27) Research indicates that the justice system lacks the independence, knowledge, capacity, and resources to investigate and prosecute child labor violations. (4,21,33)

Members of both the national police and government-backed non-state armed groups carried out extrajudicial killings of civilians in central DRC, including children, due to their perceived support or affiliation with non-state armed groups. (6,23,26,28,33,67,68) The government detained 125 children, including 6 girls for their alleged association with armed groups for periods between 3 to 48 days, despite a 2012 directive that requires that all children detained for their association with armed groups be immediately transferred to the UN. (26,33) Police in Kinshasa also killed, beat, or forcibly disappeared teenage boys known to support opposition groups or those who had refused to disrupt opposition-led protests through violent means in exchange for pay from state security agents. (69)

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 lack of coordination among agencies.

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

Coordinating Body	Role & Description
National Committee to Combat the Worst Forms of Child Labor (NCCL)	Oversees the National Action Plan to Combat the Worst Forms of Child Labor and monitors its implementation. (68,70) Led by the MOL and includes representatives from 12 other ministries, local NGOs, and civil society. (14,68,70) Although it did not formally meet in 2018 due to a lack of funding, the NCCL created plans for a national road map to combat child labor and a nationwide conference in 2020. (27)
Disarmament, Demobilization, and Reintegration Commission (UEPN-DDR)	Coordinates the identification, verification, and release of children associated with armed groups, and refers them to social services providers for family reunification and reinsertion by collaborating with the MOGF, the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), UNICEF, and NGOs. (14,27,55) Led by the MOD's Children Associated with Armed Forces and Armed Groups unit. (27,55) Between 2015 and 2018, secured the release of 17,141 children, who received social services through UNICEF and NGOs. (14,71)
Joint Technical Working Group (JTWG)	Coordinates the implementation of the Child Soldiers Action Plan and activities at the provincial level in North Kivu, South Kivu, and Orientale provinces. Led by the MOGF and includes representatives from four other ministries and the UN. (3,5,72) In 2018, met monthly and developed a 2018 road map for ending recruitment of children, held 7 workshops on conducting age verification procedures, which resulted in the removal of 146 children from the Armed Forces of the Democratic Republic of the Congo (FARDC) prior to training. Established a new JTWG in Kasai Province, revitalized the JTWG in Kasai Central, and negotiated the release of children from detention centers. (3,26,27)

Congo, Democratic Republic of the

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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

Coordinating Body	Role & Description
Working Group on Trafficking in Persons	Analyzes human trafficking trends and discusses strategies to develop comprehensive human trafficking legislation and an inter-ministerial coordinating body. Led by the International Organization for Migration (IOM) and the U.S. Embassy; includes representatives from relevant ministries, civil society organizations, law enforcement officials, and other Government of the Democratic Republic of the Congo (DRC) officials. (14) In 2018, the Ministry of the Interior drafted a bill to formalize the working group and encourage passage of a draft human trafficking bill, but both were pending at year's end. (27)
Inter-ministerial Commission (IMC) Responsible for Addressing the Issue of Child Labor in Mines and on Mine Sites in DRC	Coordinates efforts to eradicate child labor in the DRC's mining sector and serves as an advisor to other ministries combating child labor in mining. (5) In conjunction with the IOM and international donors, also validated 93 additional mines as conflict and child labor free during the reporting period, bringing the total number of validated tin, tungsten, and tantalum sites to 401 and gold sites validated to 56. (27) A meeting of donors to solicit funding for the establishment of a Zero Tolerance of Children in Mining Special Fund did not occur in 2018 as scheduled. (14,73)

Overlapping objectives and duplication of efforts, combined with a lack of resources and trained personnel, have impeded the government's ability to coordinate actions to combat the worst forms of child labor. (23,27) In addition, the Disarmament, Demobilization, and Reintegration Commission is meant to take the lead on child soldier issues; however, research indicates that, in practice, this did not always happen. (27)

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 whether relevant policies were active.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat the Worst Forms of Child Labor (2012–2020)	Developed by the NCCL in consultation with UNICEF to eliminate the worst forms of child labor in the DRC by 2020. (10,74) Promotes the enforcement of laws prohibiting the worst forms of child labor; universal primary education; monitoring and evaluation efforts; and improved coordination of stakeholders. Raises awareness, empowers communities to stop child labor practices, and provides prevention and reintegration services. (10,74) No activities were implemented in 2018 due to a lack of funding. (14)
Action Plan to End the Recruitment and Use of Child Soldiers (Child Soldiers Action Plan)	UN-backed plan that aims to prevent and end the use of children in armed forces, provide support and reintegration services, pursue accountability for perpetrators, and create a partnership framework for the UN and the government. (75,76) Includes standard operating procedures for age verification to help the FARDC avoid underage recruitment. (2,3,5) In 2018, provided training to members of the FARDC and police officers. (26) MONUSCO and the government worked with leaders of non-state armed groups to sign action plans to end the recruitment of children and establish an implementing mechanism; as of March 2019, 14 additional non-state armed groups had signed similar pledges. (7,27)
UEPN-DDR's National Disarmament, Demobilization, and Reintegration Plan (PNDDR) DDR III	Aims to provide rehabilitation and reintegration services to demobilized combatants, including children. (3,77-79) Implemented with support from the UN and international partners and within the 2013 Framework Agreement for Peace, Security, and Cooperation for the DRC and the Great Lakes Region. (78,80,81) Requires children separated from armed groups to be immediately transferred to UNICEF. (27) In 2018, UNICEF, through its partners, provided social services to 2,253 children formerly associated with armed groups. (26)
National Sectoral Strategy to Combat Child Labor in Artisanal Mines and Artisanal Mining Sites (2017–2025)	Ministry of Mines policy that aims to eradicate child labor in artisanal mines by 2025 by strengthening laws, improving data collection on the prevalence of child labor in the mining sector, promoting responsible sourcing regulations, improving child protection, and building stakeholder capacity to address these issues. (82) In 2018, launched a traceability and monitoring system to track minerals mined in artisanal sites, and the governor of Lualaba Province in the Katanga region made a public announcement prohibiting children from working in mines. (33,83)
Inter-Ministerial Commission's Triennial Action Plan (2017–2020)	Seeks to eradicate child labor in mining by 2020, particularly in the tin, tantalum, tungsten, cobalt, and copper sectors by monitoring existing policies and strengthening measures to remove children from mining sites. (84) Funding is being solicited for implementation of this policy. (73)

Congo, Democratic Republic of the

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
National Action Plan Against Sexual Violence in Conflict	MOGF policy in support of UN Resolution 1325 on women, peace, and security that aims to combat sexual violence against girls associated with armed groups and ensure prosecution of perpetrators. (85) In 2018, validated the National Action Plan of Resolution 1325 and an associated coordinating committee to oversee implementation. Aims to prevent the recruitment of children, particularly girls, into armed groups, and provide social services upon their release. (86)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (20,21,87,88)

Although limited activities have been carried out under the National Action Plan to Combat the Worst Forms of Child Labor, it has not been formally adopted by the government. As a result, its implementation has been severely constrained by a lack of dedicated funding and poor coordination. (19,23,27)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that may contribute to 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 and in all relevant sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-funded Projects	Includes Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor, a \$20 million project implemented by the ILO to conduct research and develop new survey methodologies, improve awareness, and strengthen policies and government capacity to combat child labor and forced labor. In 2018, MAP16 completed work on a three-country study of forced child labor in conflict zones. (89) Also includes Combatting Child Labor in the Democratic Republic of the Congo's Cobalt Industry (2018–2021),* a \$2.5 million project implemented by the ILO to reduce child labor in the mining sector and improve working conditions. (90,91) Additional information is available on the USDOL website.
World Bank-funded Projects	Projects in support of re-establishing peace and stability. Includes Reinsertion and Reintegration Project (2015–2019), a \$21 million project that aims to assist with social reintegration for the child combatants identified as part of DDR III; Human Development Systems Strengthening (2014–2020), a \$46.8 million project that aims to increase birth registration and improve school infrastructure; and Education Quality Improvement Project (EQUIP) (2017–2021), a \$100 million project that aims to improve the quality of primary school education. (81,92-96) In 2018, the Human Development Systems Strengthening project trained 1,245 education and health workers on data collection. EQUIP identified all 1,350 schools that will participate in the pilot and integrated 1,488 previously unpaid primary school teachers into the civil service. (97,98) The Reinsertion and Reintegration Project has also demobilized a total of 4,700 combatants since it began implementation in 2016. (99)
Programs to Support Vulnerable Children†	Government and donor-supported projects that aim to improve child protection. Includes a \$4 million Government of Japan-funded program that aims to provide education, vocational training, reintegration kits, and school feeding programs to 13,000 children and construct a training center for youth in North Kivu Province; a \$97 million Government of Canada-funded program that aims to assist 95,000 at-risk youth living near mining sites; and a MINASA and NGO program to reintegrate children removed from the street into communities and reunify children formerly associated with armed groups with their families. (3,14,27,100) At least 4,977 children received temporary care from social services providers during the reporting period. (27)

* Program was launched during the reporting period.

† Program is funded by the Government of the Democratic Republic of the Congo.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (101,102)

The scope of existing child disarmament, demobilization, and reintegration programs is insufficient; the entire process is slow, funding is inadequate, and collaboration between partners is weak. (3,21,30,35,103) Children separated from armed groups remain vulnerable to re-recruitment and stigmatization, and girls, who make up an estimated 30 to 40 percent of children associated with armed groups, need to be specifically targeted in the disarmament, demobilization and reintegration process. (5,30,35,103-105) Research also indicates that the government needs to strengthen its efforts to assist street children and implement programs specifically designed to assist children engaged in forced labor in agriculture, domestic work, and commercial sexual exploitation. (4,21,22,35)

Congo, Democratic Republic of the

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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 the DRC (Table II).

Table II. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish by law a compulsory education age that extends to the minimum age for employment.	2013 – 2018
Enforcement	Ensure that the Armed Forces of the Democratic Republic of the Congo does not support non-state armed groups that perpetuate the worst forms of child labor, including child soldiering.	2017 – 2018
	Issue appropriate decrees to ensure that enacted laws are implemented, including those that provide for free education throughout the country and require demobilized children to be handed over to child protection actors for social services and reintegration assistance.	2009 – 2018
	Publish data related to enforcement efforts, including the number of violations found, investigations conducted, penalties imposed, and penalties collected.	2009 – 2018
	Significantly increase the number of labor inspectors to meet the ILO's technical advice and ensure that inspectors receive adequate training and funding to carry out their duties.	2011 – 2018
	Ensure that inspectors have adequate resources and transportation to conduct inspections throughout the country.	2015 – 2018
	Increase penalties for the worst forms of child labor so they are sufficiently stringent to serve as a deterrent.	2013 – 2018
	Ensure that judges, prosecutors, and investigators receive adequate training and resources to investigate and prosecute child labor crimes.	2011 – 2018
	Improve coordination among relevant criminal enforcement agencies in conducting investigations, collecting data, and providing services to victims.	2017 – 2018
	Cease the practice of subjecting children to physical violence and detention for their alleged association with armed groups, and ensure that enforcement officials do not carry out extrajudicial killings.	2015 – 2018
Coordination	Improve coordination among relevant ministries to avoid duplication of efforts and ensure that they receive adequate resources and trained personnel to combat the worst forms of child labor, including child trafficking.	2015 – 2018
	Ensure that the Disarmament, Demobilization, and Reintegration Commission is able to coordinate the government's DDR III program as intended.	2015 – 2018
Government Policies	Ensure the implementation of relevant policies.	2011 – 2018
Social Programs	Conduct a stand-alone child labor survey.	2013 – 2018
	Improve access to education for all children by regulating classroom size, training additional teachers, building additional schools, and ensuring that schools are safe and students are not subjected to sexual abuse or forcible recruitment while at or on their way to school. Make additional efforts to prevent schools from being attacked and occupied by armed groups.	2012 – 2018
	Ensure that all children are registered at birth or have identification documents.	2012 – 2018
	Expand efforts to address the needs of demobilized children and incorporate stigmatization, gender, and re-recruitment concerns into programs to reintegrate such children.	2009 – 2018
	Ensure that existing social programs are implemented as intended and establish or expand efforts to address exploitative forced child labor in domestic work and commercial sexual exploitation.	2009 – 2018

REFERENCES

- Sjöström, Therese. Childhood lost: Diamond mining in the Democratic Republic of the Congo and weaknesses of the Kimberley Process. SwedWatch, December 21, 2016: Report No. 83 http://www.swedwatch.org/wp-content/uploads/2016/12/83_swedwatch_drc_diamonds_0.pdf.
- UN Security Council. Report of the Secretary-General on Children and Armed Conflict. August 24, 2017: A/72/361–S/2017/821. <https://reliefweb.int/sites/reliefweb.int/files/resources/NI1726811.pdf>.
- U.S. Department of State. Trafficking in Persons Report- 2019: Democratic Republic of the Congo. Washington, DC, June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/democratic-republic-of-the-congo/>.
- UN Committee on the Rights of the Child. Concluding observations on the report submitted by the Democratic Republic of the Congo 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. February 28, 2017: CRC/C/OPSC/COD/CO/1. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CR/C/OPSC/COD/CO/1&Lang=en.
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Democratic Republic of the Congo (ratification: 2001). Published 2018. https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0:NO:13100:P13100_COMMENT_ID:3338476:NO.

Congo, Democratic Republic of the

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 6 UN Security Council. Children and armed conflict: Report of the Secretary-General. A/72/865-S/2018/465. May 16, 2018. https://www.securitycouncilreport.org/atf/cf/{65BF999B-6D27-4E9C-8CD3-CF6E4FF96FF9}/a_72_865_s_2018_465.pdf.
- 7 UN Security Council. Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo. October 1, 2018: S/2018/882. https://www.securitycouncilreport.org/atf/cf/{65BF999B-6D27-4E9C-8CD3-CF6E4FF96FF9}/s_2018_882.pdf.
- 8 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. <http://data.uis.unesco.org/>. For more information, please see "Children
- 9 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey, 2013-2014. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 10 Ministère de l'Emploi du Travail et de la Prévoyance Sociale (METPS). Plan d'Action National (PAN) de Lutte Contre les Pires Formes de Travail des Enfants en République Démocratique du Congo (2012 - 2020). Kinshasa: Comité National de Lutte Contre les Pires Formes de Travail des Enfants (CN-PFTE), December 2011. Source on file.
- 11 U.S. Embassy- Kinshasa official. Email communication to USDOL official. July 31, 2015.
- 12 Dieuboue, J. Etat de la Sécurité et Santé dans l'Agriculture en République Démocratique du Congo (RDC) Année 2015. Geneva: ILO. 2015. Source on file.
- 13 Faber, Benjamin et al. Artisanal Mining, Livelihoods, and Child Labor in the Cobalt Supply Chain of the Democratic Republic of Congo. Center for Effective Global Action, May 6, 2017: Policy Report. <http://escholarship.org/uc/item/17m9g4wm>.
- 14 U.S. Embassy- Kinshasa. Reporting. May 10, 2019.
- 15 U.S. Embassy- Kinshasa. Reporting. February 20, 2018.
- 16 Amnesty International. "This is what we die for:" Human rights abuses in the Democratic Republic of the Congo power the global trade in cobalt. London, January 19, 2016. <https://www.amnesty.org/en/documents/af/62/3183/2016/en/>.
- 17 Frankel, Todd. The Cobalt Pipeline: Tracing the Path from Deadly Hand-dug Mines in Congo to Consumers' Phones and Laptops. Washington Post, September 30, 2016. <https://www.washingtonpost.com/graphics/business/batteries/congo-cobalt-mining-for-lithium-ion-battery/>.
- 18 UNICEF Mining & Corporate Social Responsibility: Katanga / Democratic Republic of the Congo. 2015. Source on file.
- 19 Amnesty International. Time to Recharge: Corporate Action and Inaction to Tackle Abuses in the Cobalt Supply Chain. London, 2017. <https://www.amnestyusa.org/reports/time-to-recharge/>.
- 20 World Vision. Plan d'Action Provincial de Lutte Contre les Pires Formes de Travail des Enfants. Kinshasa, 2015. Source on file.
- 21 Bureau International Catholique de l'Enfance, Bureau National Catholique de l'Enfance en RDC, Programme d'Encadrement des Enfants de la Rue, and Groupe des Hommes Voués au Développement Intercommunautaire. 74ème Groupe de travail pré-sessionnel du Comité des droits de l'enfant 9-27 janvier 2017 sur la République Démocratique du Congo. May 2016. https://bice.org/app/uploads/2016/06/CRC74_RapportAlternatifConjoint_BICE_BNCE-RDC_PEDER_GHOVODI.pdf.
- 22 World Bank. Implementation Completion and Results Report (IDA-H5780) on a Grant in the Amount Of SDR 6.6 Million (US\$10 million equivalent) to the Democratic Republic of Congo for a Street Children Project February 29, 2016: ICR00003749. http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/IB/2016/03/02/090224b0841c82e1/1_0/Rendered/PDF/Democratic0Rep0eet0Children0Project.pdf.
- 23 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Democratic Republic of the Congo (ratification: 2001). Published: 2018. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3338494:NO.
- 24 UN Security Council. Final Report of the Group of Experts on the Democratic Republic of the Congo. January 12, 2015: S/2015/19. http://www.un.org/ga/search/view_doc.asp?symbol=S/2015/19.
- 25 Global Protection Cluster. Secondary Data Review - Democratic Republic of the Congo (DRC) - The Kasai Crisis. July 20, 2017. http://www.globalprotectioncluster.org/_assets/files/field_protection_clusters/Democratic_Republic_Congo/files/drc-kasai-crisis_secondary-data-review_2017-07-20.en.pdf
- 26 UN Security Council. Report of the Secretary General on Children and Armed Conflict. June 20, 2019: A/73/907-S/12019/509. <https://www.un.org/ga/search/view-doc.asp?symbol=S/12019/509&lang=E&Area=UNODC>.
- 27 U.S. Embassy- Kinshasa. Reporting. March 13, 2019.
- 28 Clowes, William. Briefing: The Conflict in Kasai, DRC. IRIN. July 31, 2017. <http://www.irinnews.org/analysis/2017/07/31/briefing-conflict-kasai-drc>.
- 29 UNCHR. Statement of the High Commissioner to the Interactive dialogue on the Democratic Republic of the Congo, 35th session of the Human Rights Council. June 20, 2017. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21779>.
- 30 Child Soldiers International. "If I Could go to School...": Education as a tool to prevent the recruitment of girls and assist with their recovery and reintegration in Democratic Republic of Congo. November 2016. <https://www.child-soldiers.org/Handlers/Download.ashx?IDMF=eee41d6b-300c-4c22-b420-5200c601c09>
- 31 World Bank Group. Democratic Republic of Congo: Education Sector Public Expenditure Review - An Efficiency, Effectiveness, and Equity Analysis. October 2015: ACS14542. http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/IB/2015/10/22/090224b08316094e/1_0/Rendered/PDF/Public0expendi00and0equity0analysis.pdf.
- 32 Government of the Democratic Republic of the Congo. Constitution de la République Démocratique du Congo. Enacted: February 18, 2006. http://democratie.francophonie.org/IMG/pdf/Constitution_de_la_RDC.pdf.
- 33 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Democratic Republic of the Congo. Washington, DC, March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/democratic-republic-of-the-congo/>
- 34 UNICEF. Children, Victims of the Crisis in Kasai. August 2017. <https://www.unicef.be/content/uploads/2017/08/kasai-crisis-eng.pdf>.
- 35 UN Committee on the Rights of the Child. Concluding observations on the combined third to fifth periodic reports of the Democratic Republic of the Congo. February 28, 2017: CRC/C/COD/CO/3-5. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/COD/CO/3-5&Lang=en
- 36 Watt, Evan. 150,000 children out of school as violence rocks DR Congo region. Global Coalition to Protect Education from Attack, June 12 2017. <http://www.protectingeducation.org/news/150000-children-out-school-violence-rocks-dr-congo-region>.
- 37 Human Rights Watch. "Our School Became the Battlefield": Using Schools for Child Recruitment and Military Purposes in Eastern Democratic Republic of Congo. October 27, 2015. <https://www.hrw.org/report/2015/10/27/our-school-became-battlefield/using-schools-child-recruitment-and-military>.
- 38 Herrmann, Anne. Returning to school despite the Ebola epidemic. October 10, 2018. <https://www.unicef.org/drcongo/en/stories/returning-school-despite-ebola-epidemic>.

Congo, Democratic Republic of the

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 39 UNICEF. Annual Report 2014, Democratic Republic of Congo. 2015. Source on file.
- 40 Government of the Democratic Republic of the Congo. Portant Protection de L'Enfant, N° 09/001 Enacted: January 2009. <http://www.leganet.cd/Legislation/JO/2009/L.09.001.10.01.09.htm>.
- 41 Government of the Democratic Republic of the Congo. Code Penal Congolais, N° 06/018. Enacted: July 20, 2006. <http://www.leganet.cd/Legislation/DroitPenal/Loi.06.018.20.07.3006.htm>.
- 42 Government of the Democratic Republic of the Congo. Code du Travail, N° 015/2002. Enacted: October 16, 2002. <http://www.ilo.org/dyn/natlex/docs/SERIAL/62645/52447/F1638018233/COD-62645.pdf>.
- 43 Government of the Democratic Republic of the Congo. Loi N° 18/001 Modifiant et Complétant la Loi N°007/2002 du 11 Juillet 2002 Portant Code Minier, Col. 1. Enacted: March 9, 2018. https://www.mines-rdc.cd/fr/wp-content/uploads/Code_minier/JO_n°_speical_du_28_mars_2018_CODE_MINIER_DE_LA_RDC.PDF.
- 44 Government of the Democratic Republic of the Congo. Arrêté Ministériel Fixant les Conditions de Travail des Enfants, N° 12/CAB.MIN/TPSI/045/08. Enacted: August 8, 2008.
- 45 Government of the Democratic Republic of the Congo. Loi Modifiant et Complétant la Loi N° 015-2002 Portant Code du Travail, N° 16/010. Enacted: July 15, 2016. <https://www.investindrc.cd/fr/centre-d-informations/autres-textes-legaux/loi-n-16-010-du-15-juillet-2016-modifiant-et-complétant-la-loi-n-015-2002-portant-code-du-travail>.
- 46 Government of the Democratic Republic of the Congo. Law Relating to the Mining Code, N° 007/2002. Enacted: July 11, 2002. http://www.resourcegovernance.org/sites/default/files/Mining_Code.pdf.
- 47 Government of the Democratic Republic of the Congo. Arrêté Ministériel relatif aux conditions de travail des femmes et enfants, N° 68/13. Enacted: May 17, 1968. <http://www.leganet.cd/Legislation/DroitSocial/AM.68.13.17.05.1968.htm>.
- 48 Government of the Democratic Republic of the Congo. Arrêté Ministériel Fixant les procedures de qualification et de validation des sites miniers des fuieres aurifere et stannifere dans les provinces du Katanga, du Maniema, du Nord Kivu, du Sud Kivu et de la Province Orientale. N°0058/CAB.MIN/MINES/01/2012, enacted February 23, 2012. http://mines-rdc.cd/fr/documents/Arrete_0058_2012.pdf.
- 49 Government of the Democratic Republic of the Congo. Loi Portant Statut du Militaire des Forces Armees de la Republique Democratique du Congo, N° 00120/01/2013 Enacted: January 23, 2013. <http://desc-wondo.org/wp-content/uploads/2013/08/Loi-portant-statut-du-militaire-des-FARDC-promulguée-le-15012013.pdf>.
- 50 Government of the Democratic Republic of the Congo. Loi Portant Organisation Generale de la Defense et des Forces Armees, N° 04/023. Enacted: November 12, 2004 <http://desc-wondo.org/wp-content/uploads/2013/08/Loi-Organique-sur-les-FARDC.pdf>.
- 51 Government of the Democratic Republic of the Congo. Loi Cadre de l'Enseignement National, N° 86/0005. Enacted: September 22, 1986. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/9498/111653/F1265273741/COD-9498.pdf>.
- 52 UN Human Rights Council. National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21: Democratic Republic of the Congo. January 30, 2014: A/HRC/WG.6/19/COD/1. <http://www.refworld.org/pdfid/53e0df324.pdf>.
- 53 UNDP. L'école de police de Mugunga a diplômé des officiers de police judiciaire spécialisés dans la lutte contre les violences sexuelles. February 18, 2015. <http://www.cd.undp.org/content/rdc/fr/home/presscenter/articles/2015/02/18/l-cole-de-police-de-mugunga-a-dipl-m-des-officiers-de-la-police-judiciaire-sp-cialis-s-dans-la-lutte-contres-violences-sexuel-les.html>.
- 54 Chonghaile, Clár Ní. Top Congo official hopes to shed country's 'rape capital of the world' tag. March 4, 2015. <https://www.theguardian.com/global-development/2015/mar/04/congo-presidential-adviser-hopes-shed-rape-capital-tag>.
- 55 Government of the Democratic Republic of the Congo. Ordonnance portant création, organisation et fonctionnement de l'unité d'exécution du programme national de désarmement, démobilisation et réinsertion, en sigle « UEPN-DDR », N° 07/057. Enacted: July 14, 2007. <http://www.droitcongolais.info/files/JO-n-15--annee-48,-1er-aout-2007-.pdf>.
- 56 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 57 CIA. The World Factbook. Accessed January 19, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2095rank.html>.
- 58 UNICEF. Tableau comparatif des amendements de la Société civile au Code minier. 2015. [Source on file]
- 59 Mission de l'Organisation des Nations Unies pour la Stabilisation en République Démocratique du Congo. The DRC Armed Group Leader Sheka Handed Over by Monusco to the Congolese Authorities. August 4, 2017. <https://monusco.unmissions.org/en/drc-armed-group-leader-sheka-handed-over-monusco-congolese-authorities>.
- 60 U.S. Embassy- Kinshasa. Reporting. February 26, 2018.
- 61 Trial International. Leon Maro Ntumwa. June 6, 2018. <https://trialinternational.org/latest-post/leon-maro-ntumwa/>.
- 62 Perissi, Daniele and Elsa Taquet. The Kavumu Trial: Complementarity in Action in the Democratic Republic of Congo. International Justice Mission. February 5, 2018. <https://www.ijmonitor.org/2018/02/the-kavumu-trial-complementarity-in-action-in-the-democratic-republic-of-congo/>.
- 63 Republique Democratique du Congo Justice Militaire Cour Militaire Sud-Kivu. L'Auditeur Militaire, Ministere Public et parties civiles contre BATUMIKE RUGIMBANYA Frederic et al. January 5, 2018. https://trialinternational.org/wp-content/uploads/2017/12/Arrêt-final_Kavumu_CM.pdf.
- 64 Trial International. Walikale Case: Time for Accountability For Warlord Ntabo "Sheka" Ntaberi. December 20, 2018. https://www.unicef.org/appeals/files/UNICEF_DR_Congo_Humanitarian_Situation_Report_Kasai_Crisis_Sept_2017.pdf.
- 65 International Criminal Court. Situation in the Democratic Republic of the Congo: The Prosecutor v. Bosco Ntaganda. October 2018. <https://www.icc-cpi.int/CasInformationSheets/NtagandaEng.pdf>.
- 66 Corder, Mike. ICC prosecutors: No doubt Congo rebel Ntaganda is guilty. August 28, 2018. https://www.washingtonpost.com/world/africa/icc-prosecutors-no-doubt-congo-rebel-ntaganda-is-guilty/2018/08/28/be343d04-aac3-11e8-9a7d-cd30504ff902_story.html?utm_term=.6bd0f7cc1a83.
- 67 UN Office of the High Commissioner for Human Rights. Report of a Mission of the United Nations High Commissioner for Human Rights – accounts of Congolese fleeing the crisis in the Kasai region, in the Democratic Republic of the Congo August 2017. http://www.ohchr.org/_layouts/15/WopiFrame.aspx?sourcedoc=/Documents/Countries/Africa/OHCHRMissionreportonaccountsofKasairefugees.docx&action=default&DefaultItemOpen=1.
- 68 Government of the Democratic Republic of the Congo. Arrêté Modifiant et Complétant l'Arrêté Interministériel N° 12/MIN/TPS/AR/34/2006 du 10 Juin 2006 Portant Creation et Fonctionnement du Comite National de Lutte Contre les Pires Formes de Travail des Enfants Enacted: October 14, 2013. Source on file.

Congo, Democratic Republic of the

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 69 Human Rights Watch. DR Congo: Police Killed, 'Disappeared' 34 Youth. February 20, 2019. <https://www.hrw.org/print/325366.2/>.
- 70 Government of the Democratic Republic of the Congo. Arrêté Intemministériel Portant Creation et Fonctionnement du Commite National de Lutte Contre les Pires Formes de Travail des Enfants, N°12/ MIN/TPS/AR/34/2006 Enacted: June 10, 2006. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=75554&p_country=COD&p_count=241.
- 71 Child Soldiers International. Child soldier levels doubled since 2012 and girls' exploitation is rising. London, February 11, 2019. <https://www.child-soldiers.org/news/child-soldier-levels-have-doubled-since-2012-and-girls-exploitation-is-rising>.
- 72 Mission de l'Organisation des Nations Unies pour la Stabilisation en République Démocratique du Congo. Protéger et soutenir les enfants touchés par la violence et les conflits. February 2015. https://monusco.unmissions.org/sites/default/files/echos_monusco_42_1.pdf
- 73 Y'Apeke, Joseph Ikoli Yombo. Secrétaire General a.i. aux Mines et Président de la Commission Interministériel/e chargée de la question du travail des enfants dans les mines artisanales: Réponse du Ministère des Mines aux Préoccupations des Partenaires Techniques et Financiers. Kinshasa, February 26, 2018. Source on file.
- 74 Government of the Democratic Republic of the Congo. Rapport Final de l'Atelier National sur le Travail des Enfants dans l'Agriculture en République Démocratique du Congo. May 20, 2015. Source on file.
- 75 Government of Democratic Republic of the Congo. Plan d'action pour la lutte contre le recrutement et l'utilisation d'enfant ainsi que les autre violations graves des droits de l'enfant par les forces armées et les services de sécurité de la République Démocratique du Congo. October 4, 2012. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/101406/122160/F474283417/INT-101406.pdf>
- 76 Joint Technical Working Group on Children and Armed Conflict. UN/GoDRC Action Plan to stop and prevent underage recruitment, sexual violence and other grave child rights violations. October 4, 2012. Source on file.
- 77 Government of the Democratic Republic of the Congo. Le « Plan Global DDR III » a démarré. UEPNDDR.cd June 13, 2015. <http://uepnDDR.cd/?p=113>.
- 78 Government of the Democratic Republic of the Congo. Contexte général du DDR III. UEPNDDR.cd. May 1, 2015. http://uepnDDR.cd/Presentation_DDR3.html.
- 79 Government of the Democratic Republic of the Congo. Plan Global de Désarmement, Demobilisation et Reintegration (DDR III): Programme National de Désarmement, Demobilisation et Reinsertion (PNDDR). Kinshasa: Ministère de la Defense Nationale et des Anciens Combattants. 2014. <http://desc-wondo.org/wp-content/uploads/2014/01/Plan-Global-de-DDR-III.pdf>.
- 80 Government of the Democratic Republic of the Congo. Programme National de Desarmement, Demobilisation et Reinsertion (PNDDR) Rapport Mensuel d'Activites du DDR III. Kinshasa: Ministère de la Defense Nationale et des Anciens Combattants, November 2015. Source on file.
- 81 World Bank. Democratic Republic of Congo - Reinsertion and Reintegration Project. May 4, 2015: PAD1244. http://www-wds.worldbank.org/external/default/WDSCContentServer/WDSP/IB/2015/05/08/090224b082e58e01/1_0/Rendered/PDF/Congo00Democra0integration0Project0.pdf.
- 82 Gouvernement de la République Démocratique du Congo - Ministère des Mines. Strategie Nationale Sectorielle de Lutte Contre le Travail des Enfants dans les Mines Artisanales et sur les Sites Miniers Artisanaux en République Démocratique du Congo (2017-2025). August 2017. Source on file.
- 83 Shabalala, Zandi. Congo says will campaign to prevent child labour in cobalt. March 2, 2018. <https://af.reuters.com/article/africaTech/idAFKCNIG17W-OZATP>.
- 84 Government of the Democratic Republic of the Congo. Interministerial Commission responsible for addressing the issue of child labour in mines and on mine sites in DRC (2017-2020). 2017. Source on file.
- 85 Ministre du Genre, de la Famille, et de l'Enfant. Plan d'Action du Gouvernement de la Republique Democratique du Congo pour l'Application de la Resolution 1325 du Conseil de Securite des Nations Unies. Kinshasa, January 2010. Source on file.
- 86 République Démocratique du Congo, Ministère du Genre, Enfant et Famille. Plan d'Action National de la Mise en Œuvre de la Résolution 1325 du Conseil de Sécurité de Nations Unies, sur les Femmes, la Paix et la Sécurité llème Génération 2019 -2022. September 2018. https://www.peacewomen.org/sites/default/files/PAN_1325_IIVALIDE_VERSION_FINALE.pdf.
- 87 Global Coalition to Protect Education from Attack. Safe Schools Declaration Endorsements. November 14, 2017. <http://www.protectingeducation.org/guidelines/support>.
- 88 Global Coalition to Protect Education from Attack. Safe Schools Declaration. Accessed January 19, 2018. http://www.protectingeducation.org/sites/default/files/documents/safe_schools_declaration-final.pdf.
- 89 ILO. MAP 16 Technical Progress Report. October 2018. Source on file.
- 90 U.S. Department of Labor. Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor (MAP16). December 2016. <https://www.dol.gov/agencies/ilab/projects/MAP16>.
- 91 U.S. Department of Labor. Combatting Child Labor in the Democratic Republic of the Congo's Cobalt Industry. October 2018. <https://www.dol.gov/agencies/ilab/combattling-child-labor-democratic-republic-congos-cobalt-industry>.
- 92 World Bank. Project Paper on a Proposed Additional Grant in the Amount of SDR 21.8 Million (US\$30 Million Equivalent) with an Additional Grant from the Global Financing Facility (GFF) in the Amount of US\$10 Million to the Democratic Republic of Congo. March 8, 2016: PAD1735. <http://documents.worldbank.org/curated/en/286411467987906150/pdf/PAD1735-PJPR-P145965-P156421-IDA-R2016-0038-1-Box394870B-OUO-9.pdf>.
- 93 World Bank. Global Partnership for Education Fund Grant Agreement. April 19, 2017. <http://documents.worldbank.org/curated/en/182501505229544313/pdf/ITK171540-201708121116.pdf>.
- 94 World Bank. Project Appraisal Document on a Proposed Grant in the Amount of US\$100 Million to the Democratic Republic of Congo for a Support to Basic Education Project Under the Global Partnership for Education Fund. May 2, 2013. <http://documents.worldbank.org/curated/en/2013/05/17817566/democratic-republic-congo-support-basic-education-program-under-global-partnership-education-fund-project>.
- 95 World Bank. Project Paper on a Proposed Additional Grant in the Amount of US\$30 Million with an Additional Grant from the Global Financing Facility (GFF) in the Amount of US\$10 Million to the Democratic Republic of Congo for a Human Development Systems Strengthening Project. March 8, 2016. <http://documents.worldbank.org/curated/en/286411467987906150/pdf/PAD1735-PJPR-P145965-P156421-IDA-R2016-0038-1-Box394870B-OUO-9.pdf>.
- 96 World Bank. Project Appraisal Document on a Proposed Grant in the Amount of US\$15 Million to the Democratic Republic of Congo for a Human Development Systems Strengthening Project. March 25, 2014. <http://documents.worldbank.org/curated/en/207911468027672171/pdf/PAD8860P145965010Box385177B00OUO090.pdf>.

Congo, Democratic Republic of the

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 97 World Bank. DR CONGO - Education Quality Improvement Project (EQUIP) Implementation Status & Results Report. January 30, 2019. <http://documents.worldbank.org/curated/en/714151548906469711/pdf/Disclosable-Version-of-the-ISR-DR-CONGO-Education-Quality-Improvement-Project-EQUIP-PI57922-Sequence-No-03.pdf>.
- 98 World Bank. DRC Human Development Systems Strengthening Implementation Status & Results Report. November 29, 2018. <http://documents.worldbank.org/curated/en/894061543504736835/pdf/Disclosable-Version-of-the-ISR-DRC-Human-Development-Systems-Strengthening-PI45965-Sequence-No-09.pdf>.
- 99 World Bank. DRC Reinsertion and Reintegration Project Implementation Status & Results Report. December 6, 2018. <http://documents.worldbank.org/curated/en/499211544075192683/pdf/Disclosable-Version-of-the-ISR-DRC-Reinsertion-and-Reintegration-Project-PI52903-Sequence-No-06.pdf>.
- 100 Global Affairs Canada. Canada announces funding for child protection, women's economic empowerment and humanitarian assistance in the Democratic Republic of Congo. July 7, 2017: News release. https://www.canada.ca/en/global-affairs/news/2017/07/canada_announcesfundingforchildprotectionwomenseconomicempowerme.html.
- 101 World Bank. Project Appraisal Document on a Proposed Grant in the Amount of US\$100 Million to the Democratic Republic of Congo for a DRC—Gender-Based Violence Prevention and Response Project. June 6, 2018. <http://documents.worldbank.org/curated/en/431561535859045136/pdf/DRC-Gender-Based-PAD-06192018.pdf>.
- 102 World Bank. Project Appraisal Document on a Proposed Grant in the Amount of US\$200 Million to the Democratic Republic of Congo for a Productive Inclusion Project. June 7, 2018. <http://documents.worldbank.org/curated/en/790511530415823984/pdf/DRC-PAD-06112018.pdf>.
- 103 Child Soldiers International. Submission to the Committee on the Rights of the Child on child recruitment and the reintegration of girls in Democratic Republic of Congo (DRC). June 2016. <https://www.child-soldiers.org/shop/submission-to-the-committee-on-the-rights-of-the-child-on-child-recruitment-and-the-reintegration-of>.
- 104 Child Soldiers International. What the girls say - Improving practices for the demobilisation and reintegration of girls associated with armed forces and armed groups in Democratic Republic of Congo. June 19, 2017. <https://www.child-soldiers.org/Handlers/Download.ashx?IDMF=e57e9cb2-cd70-4dc2-8681-e29bc6f3622b>.
- 105 Guilbert, Kieran. Raped then rejected, stigma drives former girl soldiers back into Congo's militias. Reuters, June 19, 2017. <https://www.voanews.com/a/raped-then-rejected-stigma-drives-former-girl-soldiers-back-into-congo-militias/3911038.html>.

In 2018, the Republic of the Congo made a minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, enforcement agencies disrupted multiple sex trafficking networks involving children, including identifying at least seven child sex trafficking victims and one child victim of forced criminality. The government engaged with the Government of Benin to implement a bilateral agreement to combat human trafficking. However, children in the Republic of the Congo are involved in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in forced domestic work, sometimes as a result of human trafficking. The government has yet to accede to the Palermo Protocol on Trafficking in Persons and there is no mechanism to coordinate efforts to address child labor at the national level, including the worst forms of child labor. The government did not formally extend the National Action Plan to Fight Against Trafficking in Persons, which expired in 2017. The government did not fund any social services programs during the reporting period to address the worst forms of child labor present in domestic work and commercial sexual exploitation. In addition, information on children's work is extremely limited because there has never been a national child labor survey or similar research conducted in the Republic of the Congo.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Republic of the Congo (ROC) engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in forced domestic work, sometimes as a result of human trafficking. (1-4) Table 1 provides key indicators on children's work and education in ROC. 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	27.9 (286,137)
Attending School (%)	5 to 14	90.2
Combining Work and School (%)	7 to 14	29.9
Primary Completion Rate (%)		70.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization's analysis of statistics from Deuxième Enquête Démographique et de Santé du Congo (EDSC-II), 2011–2012. (6)

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	Farming, including in the production of manioc, peanuts, corn, plantains, potatoes, and sugar cane (1,3,7,8) Catching and smoking fish (3)
Industry	Working in stone quarries,† including breaking stones (1,3,4,7)

Congo, Republic of the

MINIMAL ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Domestic work (1,3,4)
	Working in transportation as bus touts (1,7)
	Market vending and carrying heavy loads† (1,3,4,7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,4,7,9-11)
	Forced labor in farming, including in the production of cocoa, and in domestic work, working in stone quarries, fishing, and market vending, each sometimes as a result of human trafficking (2,3,7,12)
	Forced labor of indigenous Baka children in farming, including in the production of manioc, and in fishing, hunting, and domestic work (3,7,13)

† 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.

In 2018, there were reports of children who belong to minority indigenous populations forced to perform work in agriculture, where they worked long hours in hot weather and experienced dehydration. (4) Within ROC, internal child trafficking brings children from rural areas to urban centers for forced labor in domestic work and market vending. The majority of foreign children subject to forced domestic work or commercial sexual exploitation in ROC originate from Benin and the Democratic Republic of the Congo, and other West African nations. (2,4,13-15) A 2015 report funded by the UNODC found that most victims of commercial sexual exploitation as a result of child trafficking were between the ages of 9 and 11. (13) However, information on children’s work is limited because there has never been a national child labor survey or similar research conducted in ROC. (3)

The Constitution stipulates that education is free until age 16; however, some parents are required to pay for books, uniforms, and school fees, which may limit access to education for some children. (3,16,17) Over-enrollment, the absence of sanitation facilities, a lack of teachers, and sexual abuse in schools also pose barriers to education for some children, particularly in refugee or IDP camps and non-urban areas. (3,4,16,18,19) Indigenous children throughout the country may experience discrimination, linguistic barriers, prohibitive school fees, and long distances to schools. (4,17,20,21)

II. LEGAL FRAMEWORK FOR CHILD LABOR

ROC has ratified most 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 ROC’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for voluntary recruitment into state armed forces.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 116 of the Labor Code; Article 68 of the Child Protection Code (22,23)
Minimum Age for Hazardous Work	Yes	18	Articles 4–5 and 8–9 of Order 2224 of 1953; Article 68 of the Child Protection Code (23,24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 4–5 and 8–9 of Order 2224 of 1953 (24)
Prohibition of Forced Labor	Yes		Article 33 of the Constitution; Article 4 of the Labor Code; Articles 60, 68, 115, and 122 of the Child Protection Code (22,23,25)
Prohibition of Child Trafficking	No		Articles 60 and 115 of the Child Protection Code (23)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 60, 65–68, and 122 of the Child Protection Code; Articles 334–335 of the Penal Code (23,26)
Prohibition of Using Children in Illicit Activities	Yes		Articles 68–70 and 122 of the Child Protection Code (23)
Minimum Age for Voluntary State Military Recruitment	No		Article 49 of the Child Protection Code (23)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 49 of the Child Protection Code (23)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 49 of the Child Protection Code (23)
Compulsory Education Age	Yes	16	Articles 1 and 3 of the Education Law; Article 29 of the Constitution (25,27)
Free Public Education	Yes		Article 1 of the Education Law; Article 29 of the Constitution (25,27)

* No conscription (28)

A draft revision to the Hazardous Work List of 1953 has been pending since 2012. In early 2019, the Parliamentary Committee reviewed the draft of an anti-trafficking law that includes more severe penalties for offenders, and which has been awaiting adoption since 2014. The law will be adopted in late 2019. (3,13,29-32) In addition, the Labor Code does not apply to children who are under age 18 and perform hazardous work, but who do not have an employment contract. (9) National laws do not set a minimum age for voluntary recruitment into the armed forces. (21,23) Article 60 of the Child Protection Code does not meet international standards because it requires either the particular listed means or movement of the child for child trafficking to have occurred.

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 Social Security (MOL) 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 Social Security (MOL)	Enforces child labor laws. (17) Conducts initial inspections before referring cases to the MOJ for prosecution. (3)
Ministry of Justice and Human Rights (MOJ)	Enforces criminal laws against the worst forms of child labor. Dedicates two judges—one judge in Brazzaville and one in Pointe-Noire—to child protection cases. (3)
Ministry of the Interior's National Police	Enforces criminal laws against the worst forms of child labor and conducts initial investigations in cases of forced labor, human trafficking, and the use of children in illicit activities. (3)

Congo, Republic of the

MINIMAL ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Ministry of Social Affairs, Humanitarian Action and Solidarity (MSA)	Promotes the rights of vulnerable groups and contributes to anti-trafficking efforts by providing social welfare assistance to victims. (3,17) May conduct initial inspections before referring cases to the MOJ for prosecution. (3) Through its Director General of Social Affairs, oversees government strategy to combat human trafficking. (13) Through its Task Force, leads efforts to combat human trafficking in Pointe-Noire, designates foster families to receive victims, and assists in repatriating or reintegrating victims. (3)
Ministry of Foreign Affairs and Cooperation	Coordinates with MSA in repatriating victims of child trafficking and monitors bilateral and multilateral agreements with neighboring countries to combat human trafficking. (33)

The Ministry of Justice and Human Rights (MOJ) and the National Police lead law enforcement efforts, while the MOL and the Ministry of Social Affairs, Humanitarian Action and Solidarity (MSA) conduct initial investigations and provide support to victims after they are rescued. (4) Although there is a line item in the MSA's budget for activities to combat human trafficking, funds are disbursed irregularly or not at all. (13)

Labor Law Enforcement

In 2018, labor law enforcement agencies in ROC took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including a functional complaint mechanism.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (3)	Unknown (4)
Number of Labor Inspectors	12 (3)	12 (4)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (4)
Initial Training for New Labor Inspectors	No (3)	No (4)
Training on New Laws Related to Child Labor	N/A	No (4)
Refresher Courses Provided	No (3)	No (4)
Number of Labor Inspections Conducted	Unknown (3)	Unknown (4)
Number Conducted at Worksite	Unknown (3)	Unknown (4)
Number of Child Labor Violations Found	Unknown (3)	Unknown (4)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (3)	Unknown (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (3)	Unknown (4)
Routine Inspections Conducted	No (3)	Unknown (4)
Routine Inspections Targeted	N/A (3)	Unknown (4)
Unannounced Inspections Permitted	Yes (3)	Yes (4)
Unannounced Inspections Conducted	Yes (3)	Yes (4)
Complaint Mechanism Exists	No (3)	No (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (3)	No (4)

The number of labor inspectors is likely insufficient for the size of the ROC's workforce, which includes more than 2 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, the ROC would employ roughly 137 labor inspectors. (34,35) Training opportunities for labor inspectors are very limited due to a lack of resources, particularly for lower level staff. (13) In addition, the government lacks a formal process for referring children found in situations of child labor to appropriate social services providers. (4)

Due to a lack of staff, labor inspections were not conducted in some parts of the country, especially in rural areas. (3,4,36) In addition, inspectors do not have access to government vehicles and rely on the employers whose businesses are being inspected to provide transportation. (36) Furthermore, existing penalties for the worst forms of child labor may not be severe enough to serve as deterrents because they are not commensurate with penalties for other serious crimes. (9,23)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in ROC 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 human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	No (3)	No (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (3)	No (4)
Refresher Courses Provided	Yes (13)	No (4)
Number of Investigations	1 (13)	Unknown (4)
Number of Violations Found	8 (3,37)	Unknown (4)
Number of Prosecutions Initiated	1 (3)	Unknown (4)
Number of Convictions	1 (38,39)	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	No (4)

In 2018, the government identified eight child trafficking victims. (4,30) In one case of child sex trafficking, the government reported that it provided at least seven victims with vocational retraining, medical assistance, and psycho-social services, including family and psychological counseling in Brazzaville. In another case, the government temporarily detained one child from the Democratic Republic of Congo (DRC); it later identified the child as a victim of forced criminality and facilitated the child's repatriation to his parents, but the government did not report providing care. (30,31) In both cases, the alleged ringleaders were deported, and in one case, the police detained a man who continues to remain in custody. (4) In general, the MSA and the MOJ experienced difficulties in prosecuting offenders due to a weak judicial system, poor record keeping, a large backlog of cases in the high court, courts that convene infrequently and irregularly, and criminal law enforcement officials' and judges' unequal knowledge of anti-trafficking legislation and the Child Protection Code. (2,13) Rather than prosecuting child trafficking cases, the MSA Task Force may summon the accused, which often results in restitution for the victims, but fails to deter the perpetrators from human trafficking. (21)

The MSA, MOL, MOJ, and the National Police work together to enforce criminal laws against child trafficking; however, their efforts were limited to Brazzaville and Pointe-Noire. In addition, the National Police sometimes require payment to assist in operations to rescue victims of child trafficking. (3, 13) In 2018, the media reported that police allegedly arrested 30 females from the DRC and 41 female ROC citizens, potentially including children, for prostitution. (30,31,40) In addition, a senior government official within the MSA, tasked with combating child trafficking, was accused of complicity in a child trafficking ring that allegedly sold infants to adults outside of the ROC. The government conducted an investigation into the official and cleared her of wrongdoing in late 2018. (13,30)

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 the lack of adequate resources and staffing.

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

Coordinating Body	Role & Description
Anti-Trafficking Coordinating Committee for Pointe-Noire (MSA Task Force)	With UNICEF's support, coordinates all efforts to combat West African child trafficking in Pointe-Noire. Comprising government representatives and civil society organizations. (2,3,33) Prevents and prosecutes cases of human trafficking and provides support to victims through placement with foster families. (41) During the reporting period, the committee provided funding for foster homes for child trafficking victims. (31) In December 2018, trained foreign diplomats on trafficking in persons topics. In addition, during the reporting period, organized trafficking in persons awareness events. (42)

Congo, Republic of the

MINIMAL ADVANCEMENT

In 2018, the government provided funding to three shelters for vulnerable populations, including victims of child trafficking. (31) Due to an absence of funding, the MSA Task Force's activities have been limited since 2016; the Task Force owes a total of approximately \$805 to foster families for victim care provided in prior years. In addition, a local NGO that initiates investigations has started referring cases to the Beninese consulate rather than the MSA Task Force because the majority of victims are Beninese and the MSA Task Force is unable to provide the NGO with financial support for its work. (2,13) Furthermore, the MSA Task Force has three vacant seats on the committee, and there is no coordinating body to oversee efforts to combat child trafficking or child labor at the national level. (3,23,41)

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 developing and implementing a new national child labor action plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Fight Against Trafficking in Persons (2014–2017)	Aims to establish a National Commission to Fight Against Trafficking in Persons, develop systems for monitoring and evaluation, strengthen the legal framework, and provide social services to victims of human trafficking. (43) Included public awareness campaigns, training for law enforcement officials, and improvement of enforcement activities related to child trafficking. (3) Research indicates that the government continued to use this plan in 2018 without formally extending or updating it. (30)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (13,15)

During the reporting period, the government took steps to implement a bilateral agreement with the DRC that prevents minors from entering ROC without the accompaniment of their parents. In addition, the government engaged with the Government of Benin to implement the September 2011 Cooperation Agreement between the two countries to combat human trafficking. (4,42) The government failed to allocate resources to the National Action Plan, thus the Plan was not implemented during the reporting period. (13) The government has not included child labor elimination and prevention strategies in the Education Sector Policy (2015–2025), and research found no evidence of a general policy on child labor. (44)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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

Table 10. Key Social Programs to Address Child Labor

Program	Description
Safety Net Program (LISUNGI) and Additional Financing (2014–2019)	\$27 million World Bank-funded project that grants improved access to health and education services to poor families in Brazzaville, Cuvette, and Pointe-Noire. (45) Includes a cash transfer program for 127 households conditioned upon regular health visits and that all children maintain an 80 percent school attendance rate each month. (4,45) In 2018, the government provided logistical support for implementation, including providing conference rooms and support staff. During the reporting period, organized three public awareness campaigns. (4)
McGovern-Dole International Food for Education and Child Nutrition Program (2017–2022)*	\$30 million USDA-funded, 5-year project implemented by the WFP in Bouenza, Cuvette, Lekoumou, Likouala, Plateaux, Sangha, and Pool. Aims to improve literacy of school-aged children, increase healthy dietary practices, build capacity of government institutions, improve policy and regulatory framework, and increase government support and engagement of local organizations and community groups. (46) The project provides nutritional benefits to nearly 100,000 school children and operates in 470 primary schools, including in indigenous population preparatory schools in Sangha and Likouala regions. In 2018, trained 300 government staff. (30,46)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Observe, Reflect, Act Schools†	Ministry of Education program supported by UNICEF, the EU, and WFP to improve access to education for indigenous children through a 2- or 3-year preparatory program. (20,47,48) Identifies children who should be added to the civil register; provides school supplies to students, and raises awareness among indigenous families about the importance of education. (47,49) Research was unable to determine whether activities were undertaken to implement the Observe, Reflect, Act School program during the reporting period.

* Program was launched during the reporting period.

† Program is funded by the Government of the Republic of the Congo.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (16)

Existing government programs are not sufficient to address the scope of child labor in all relevant sectors, such as domestic work or commercial sexual exploitation, in ROC. (3)

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 ROC (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2015 – 2018
	Ensure that law prohibits all trafficking of children regardless of the means used or whether the trafficking involved movement of the child.	2018
	Ensure that the Labor Code applies to all children regardless of the existence of an employment contract.	2018
	Ensure that the minimum age for voluntary military service is no lower than age 16.	2015 – 2018
Enforcement	Publish information related to labor and law enforcement statistics, including the funding level for the labor inspectorate, the number and type of labor inspections conducted, violations found, penalties imposed and collected for child labor violations, number of criminal investigations conducted, criminal violations found, prosecutions initiated, and convictions secured.	2014 – 2018
	Institutionalize training for labor inspectors, investigators, and law enforcement, including at the beginning of their employment and through periodic refresher courses.	2014 – 2018
	Strengthen the labor inspectorate by ensuring that inspectors have adequate resources to conduct routine inspections throughout the country; ensure that penalties for the worst forms of child labor are commensurate with penalties for other serious crimes; and ensure that penalties are applied in accordance with the law.	2015 – 2018
	Establish a complaint mechanism and reciprocal referral mechanism between both criminal and labor authorities and social services.	2017 – 2018
	Significantly increase the number of labor inspectors to meet the ILO's technical advice and ensure that they receive adequate resources to adequately enforce labor laws throughout the country.	2010 – 2018
	Remove barriers to enforcement and prosecution by strengthening the judicial system, training prosecutors on existing laws, ensuring that police participation in rescue operations do not require additional payment, and allocating resources to enforcement agencies and the judges responsible for child protection cases.	2014 – 2018
	Ensure that children are not detained for their involvement in child labor, including prostitution.	2018
	Establish a formal referral mechanism between enforcement agencies and social services providers to address the needs of children found in situations of child labor.	2018
	Coordination	Ensure that coordinating bodies receive adequate resources and staffing to function as intended.
	Establish a coordinating mechanism to combat child labor at the national level, including all its worst forms.	2009 – 2018
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2009 – 2018
	Adopt a policy that addresses all relevant forms of child labor, such as domestic work, and the worst forms of child labor, such as commercial sexual exploitation.	2013 – 2018
Social Programs	Conduct a national child labor survey or similar research to determine the activities carried out by working children to inform policies and programs.	2013 – 2018
	Ensure that social programs are implemented as intended.	2018

Congo, Republic of the

MINIMAL ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Improve access to education for all children including in non-urban areas, regardless of refugee status or ethnicity, by eliminating all school-related fees, regulating classroom size, removing linguistic barriers, providing sanitation facilities, building additional schools, training additional teachers, and ensuring that students are not subject to sexual abuse.	2009 – 2018
	Allocate funding to social programs that address child labor, including its worst forms.	2012 – 2018
	Institute programs to address all relevant sectors of child labor, including forced labor in domestic work and commercial sexual exploitation.	2009 – 2018

REFERENCES

- UNICEF. *Présentation: Travail des Enfants*. July 28, 2015. Source on file.
- U.S. Department of State. *Trafficking in Persons Report- 2018: Republic of the Congo*. Washington, DC, June 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/republic-of-the-congo/>.
- U.S. Embassy- Brazzaville. Reporting. February 22, 2018.
- U.S. Embassy- Brazzaville. Reporting. March 4, 2019.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary education, both sexes (%)*. Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Deuxième Enquête Démographique et de Santé du Congo (EDSC-II), 2011–2012. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Brazzaville official. Email communication to USDOL official. September 21, 2015.
- Ministry of Agriculture official. Interview with USDOL official. July 27, 2015.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Congo (ratification: 2002)*. Published: 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963394.
- ASI official. Interview with USDOL official. July 28, 2015.
- IOM official. Interview with USDOL official. July 28, 2015.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Congo (ratification: 2002)*. Published: 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3185781:NO.
- U.S. Embassy- Brazzaville. Reporting. February 14, 2018.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Congo (ratification: 2002)*. Published: 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:P11110_COUNTRY_ID:P11110_COUNTRY_NAME:P11110_COMMENT_YEAR:3147126,103376,Congo,2013.
- UN Committee on the Elimination of Discrimination against Women. *Consideration of reports submitted by States parties under article 18 of the Convention: Seventh periodic report of States parties due in 2016: Congo*. May 15, 2017: CEDAW/C/COG/7. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/COG/7&Lang=en.
- World Bank. *EDUCATION SECTOR SUPPORT PROJECT*. Project Appraisal Document - PAD1486, April 6, 2016. <http://documents.worldbank.org/curated/en/18899146818503267/pdf/PAD1486-PAD-P152910-IDA-R2016-0060-1-Box394878B-OUO-9.pdf>.
- U.S. Department of State. *Country Reports on Human Rights Practices- 2018: Republic of the Congo*. Washington, DC, March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/republic-of-the-congo/>.
- Ministry of Education official. Interview with USDOL official. July 27, 2015.
- De Syg, Seke Kouassi, and Euloge Bikindou-Boueya. *ÉVALUATION DES INTERVENTIONS DES NATIONS UNIES EN FAVEUR DES RÉFUGIÉS EN RÉPUBLIQUE DU CONGO*. UNICEF, July 2017: Final Report. https://www.unicef.org/evaldatabase/files/Congo_RAPPORT_EVALUATION_DES_INTERVENTIONS_DES_NATIONS_UNIES_EN_FAVEUR_DES_REFUGIES_AU_CONGO.pdf.
- Bevalot, Martin, et al. *Evaluation des interventions visant l’amélioration de la qualité de vie des populations autochtones - République du Congo*. UNICEF, September 2015. http://www.unicef.org/evaldatabase/files/Rapport_Final_Pop_Autochtones_Congo-2015-001.pdf.
- U.S. Embassy- Brazzaville. Reporting. January 13, 2017.
- Government of the Republic of the Congo. *Code du travail, Loi n° 45-75 du 15 mars 1975*. Enacted: March 15, 1975. <http://www.droit-afrique.com/images/textes/Congo/Congo - Code du travail.pdf>.
- Government of the Republic of the Congo. *Law n° 4-2010 du 14 juin 2010 portant protection de l’enfant en République du Congo*. Enacted: June 14, 2010. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=88295&p_country=COG&p_count=271.
- Government of the Republic of the Congo. *Arrêté N°2224 fixant les dérogations d’emploi des jeunes travailleurs ainsi que la nature des travaux et les catégories d’entreprises interdits aux jeunes gens et l’âge limite auquel s’applique l’interdiction*. October 24, 1953. Source on file.
- Government of the Republic of the Congo. *Constitution du 6 novembre 2015*. Enacted: November 6, 2015. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=100814&p_country=COG&p_count=278&p_classification=01.01&p_classcount=5.
- Government of the Republic of the Congo. *Penal Code, Law No. 13/4/1946*. Enacted: April 25, 1947. Source on file.
- Government of the Republic of the Congo. *Loi 25/95 du 17 novembre 1995 modifiant la loi scolaire n° 008/90 du 6 septembre 1990*. Enacted: November 17, 1995. http://www.axl.cefan.ulaval.ca/afrique/congo-lois_div.htm#Loi_25/95_du_17_novembre_1995_modifiant_la_loi_scolaire_n_008/90_du_6_septembre_1990.

- 28 Child Soldiers International. Congo (Republic Of). January 12, 2017. <http://childsoldiersworldindex.org/view/CG>.
- 29 UN Committee Against Torture. Concluding observations on the initial report of the Congo. May 28, 2015: CAT/C/COG/CO/1. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT/C/COG/CO/1&Lang=En.
- 30 U.S. Embassy - Brazzaville official. Email communication with USDOL official. July 19, 2019.
- 31 U.S. Department of State. Trafficking in Persons Report - 2019: Republic of the Congo. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/republic-of-the-congo/>.
- 32 Government of the Republic of the Congo. Liste et la nature des travaux et les catégories d'entreprises interdites aux enfants et l'âge limite auquel s'applique cette interdiction 2012. DRAFT. Source on file.
- 33 Zwaenepoel, Caroline, and Rodrigue Abalo. Etude sur le phénomène de la traite des personnes en République du Congo. IOM, UNICEF and UNFPA. April 2013. Source on file.
- 34 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 35 CIA. The World Factbook. Accessed January 19, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2095rank.html>.
- 36 ILO Committee of Experts. Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Congo (ratification: 1999). Published: 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963028.
- 37 ALTO. Rapport d'Activite de l'ONG Durant la Periode de Janvier – Decembre 2017. 2018. Source on file.
- 38 Ibara, Séverin. Congo – Brazzaville : Une béninoise condamnée à 30 ans de prison pour trafic d'enfants. May 20, 2017. <http://icibrazza.com/congo-brazzaville-une-beninoise-condamnee-a-30-ans-de-prison-pour-traffic-denfants/>.
- 39 U.S. Embassy- Brazzaville. Reporting. May 24, 2017.
- 40 Zickou-Thoto, Achille. "Ujana" Prostitutes will benefit from social reintegration. Vox. November 30, 2018. <http://www.vox.cg/des-prostituees-ujana-vont-beneficier-dune-reinsertion-sociale/>.
- 41 Direction Départementale des Affaires Sociales de Pointe-Noire. Rapport Annuel 2017 des Activités du Projet Lutte Contre la Traite des Enfants de Pointe-Noire. 2018. Source on file.
- 42 U.S. Embassy - Brazzaville. Reporting. February 21, 2019.
- 43 Government of the Republic of the Congo. National Action Plan to Fight Against Trafficking in Persons. 2014. Source on file.
- 44 Konaté, Kangbai, et al. Rapport de l'évaluation externe de la stratégie sectorielle de l'éducation 2015-2025 de la République du Congo. February 2015. http://www.unicef.org/evaldatabase/files/Evaluation-externe-de-la-strategie-education-du_Congo_2015.pdf.
- 45 World Bank. LISUNGI SAFETY NETS SYSTEM PROJECT. Project Paper, March 2, 2017. <http://documents.worldbank.org/curated/en/854791491098428875/pdf/REPOFCONGO-PAD-03132017.pdf>.
- 46 USDA official. Email communication to USDOL official. March 24, 2019.
- 47 UN Human Rights Council. National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21: Congo. July 25, 2013: A/HRC/WG.6/17/COG/1. <http://www.refworld.org/docid/526903220.html>.
- 48 European Union. Scolarisation des enfants autochtones : une priorité pour l'Union Européenne. 2015. http://eeas.europa.eu/delegations/congo/documents/press_corner/2015/news/290415_mission_likouala_fr.pdf.
- 49 Gampaka, Eugène. Congo- Brazzaville : Améliorer les conditions de vie des autochtones. <http://www.africa-info.org/societe/1959-congo-brazzaville-ameliorer-les-conditions-de-vie-des-autochtones.html>.

Although research found no evidence that child labor exists in the Cook Islands, the government made a moderate advancement in efforts to eliminate the worst forms of child labor in 2018. The government ratified ILO Convention C. 182 on the Worst Forms of Child Labor and made meaningful efforts in all relevant areas during the reporting period. However, the government has not established adequate legal protections to prevent the worst forms of child labor. The law does not criminally prohibit the use, procuring, or offering of a child for prostitution, the production of pornography, or pornographic performances, or the use of children for illicit activities, including for the production and trafficking of drugs.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in the Cook Islands.

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Cook Islands is self-governing in free association with New Zealand, and it follows a combination of its own laws and some of the laws of New Zealand and the United Kingdom that were enacted prior to self-government in 1965. (1,2)

Since 1988, no treaty signed, ratified, accepted, approved, or acceded to by New Zealand extends to the Cook Islands, unless New Zealand acted expressly on behalf of the Cook Islands. (2) The Cook Islands has ratified some key international conventions concerning child labor (Table 1).

Table 1. 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 2). In 2018, the Cook Islands ratified ILO Convention 182 on the Worst Forms of Child Labor. (3) However, gaps exist in the Cook Islands' legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 30 of the Employment Relations Act (4)
Minimum Age for Hazardous Work	Yes	18	Article 73(2) of the Employment Relations Act (4)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 73 of the Employment Relations Act; Articles 52–53 of the Industrial and Labor Ordinance (4,5)
Prohibition of Forced Labor	Yes		Article 3 of the Prohibition of Forced or Compulsory Labor Ordinance; Article 1091 of the Crimes Amendment Act (6,7)
Prohibition of Child Trafficking	Yes		Article 1091 of the Crimes Amendment Act (7)
Prohibition of Commercial Sexual Exploitation of Children	No		
Prohibition of Using Children in Illicit Activities	No		

Cook Islands

MODERATE ADVANCEMENT

Table 2. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 36–37 of the Government of New Zealand's Defence Act (8)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 23.1 of the Education Act (9)
Free Public Education	Yes		Article 22.2 of the Education Act (9)

* No conscription (8)

† No standing military (10)

The Employment Relations Act prohibits children younger than age 13 from being employed. (4) The Act also prohibits a school-aged person, defined as ages 13 to 16, from working during normal school hours, working for more than 10 hours a week outside of school hours, or doing work that is not considered light work. (4) However, the legal framework does not determine the activities in which light work is permitted. (4) The Cook Islands does not criminalize the use of children in illicit activities, particularly the production and trafficking of drugs. The law does not criminally prohibit non-state armed groups from recruiting children under age 18. (8) There are no armed forces in the Cook Islands. New Zealand is responsible for the defense of the territory at its request and consultation. (10)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Internal Affairs (INTAFF)	Enforces labor laws through the Labor Division and provides child services. Lead agency for implementing the UN CRC. (2, 11)
Cook Islands Police Service	Enforces child labor laws. (2, 11)

Labor law enforcement on the Cook Islands lies with the Ministry of Internal Affairs' (INTAFF) Labor Division's four labor inspectors. The Labor Division is responsible for monitoring work place entitlements and work safety standards. (2)

Labor Law Enforcement

As there is no evidence of a problem, there appears to be no need for labor law enforcement actions to address child labor.

Criminal Law Enforcement

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to

address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor. However, the Government of the Cook Islands has established policies related to child labor (Table 4).

Table 4. Key Policies Related to Child Labor

Policy	Description
Cook Islands National Youth Policy (2015–2020)	Identifies priority areas for youth, including education and work opportunities, health, and youth risk and resilience. (12) This policy was active in 2018. (13)
National Policy Framework for Children (2017–2021)	Provides a framework to protect the rights of children with outcomes focused on their health, education, safety, economic opportunities, and international connectivity. Aims to protect the rights of children by strengthening data collection on children to improve the government's understanding of child abuse and children's experience in the legal system; and to improve collaboration between the government, parents, and the community. (14) This policy was active in 2018. (13)
United Nations Pacific Strategy (2018–2022)†	A multinational strategic framework program consisting of 14 South Pacific nations to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (15)

† Policy was approved during the reporting period.

The Cook Islands' National Statistics Office has planned and budgeted its first national ILO-supported Labor Force Survey, to occur in 2019. (2)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in the Cook Islands (Table 5).

Table 5. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2017 – 2018
	Ensure that the Crimes Act addresses and criminalizes commercial child sexual exploitation, including using, procuring, and offering a child for prostitution, the production of pornography, and pornographic performances.	2012 – 2018
	Ensure that the law prohibits the use of children in illicit activities, including the production and trafficking of drugs.	2015 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018

REFERENCES

I Government of Cook Islands. The Cook Islands. Accessed June 23, 2017.

Cook Islands

MODERATE ADVANCEMENT

- <http://www.ck/govt.htm>.
- 2 U.S. Embassy- Wellington. Reporting. January 10, 2019.
 - 3 ILO NATLEX National Labor Law Database. Ratifications for Cook Islands. Accessed: January 10, 2019.
https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:103291.
 - 4 Government of Cook Islands. Employment Relations Act 2012. Enacted: 2012. Source on file.
 - 5 Government of Cook Islands. Industrial and Labour Ordinance. Enacted: 1964.
http://www.vertic.org/media/National_Legislation/Cook_Islands/CK_Industrial_Labour_Ordinance_1964.pdf.
 - 6 Government of Cook Islands. Prohibition of Forced or Compulsory Labour Ordinance 1960, No. 2 of 1960. Enacted: 1960.
http://www.paclii.org/ck/legis/num_act/pofoclo1960503/.
 - 7 Government of Cook Islands. Crimes Amendment Act 2004, No. 5 of 2004. Enacted: June 1, 2004.
http://www.paclii.org/ck/legis/num_act/caa2004162/.
 - 8 Government of New Zealand. Defence Act of 1990, No. 28 of 1990. Enacted: April 1, 1990.
<http://www.legislation.govt.nz/act/public/1990/0028/latest/DLM204973.html>.
 - 9 Government of Cook Islands. Education Act 2012, No. 18 of 2012. Enacted: December 12, 2012.
 - 10 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
 - 11 U.S. Embassy- Wellington. Reporting. January 15, 2016.
 - 12 Government of Cook Islands. Cook Islands National Youth Policy: Back to Basics for Youth 15-24 Years. 2015.
<http://www.intaff.gov.ck/wp-content/uploads/2014/04/CI-National-Youth-Policy-2015-2020.pdf>.
 - 13 U.S. Embassy- Wellington. Email communication to a USDOL official. March 6, 2019.
 - 14 Government of Cook Islands. Te Pito Manava o te Anau: National Policy Framework for Children 2017-2021. 2017.
<http://www.intaff.gov.ck/wp-content/uploads/2017/09/C-Is-National-Policy-Framework-for-Children-FINAL.pdf>.
 - 15 UN. United Nations Pacific Strategy 2018-2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017.
https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf.

In 2018, Costa Rica made a significant advancement in efforts to eliminate the worst forms of child labor. The government launched new cooperative efforts with nongovernmental organizations to develop projects to prevent child labor as part of its Roadmap against Child Labor and the Worst Forms of Child Labor. Costa Rica also amended its Penal Code to strengthen the provisions related to child trafficking, and the Ministry of Labor and Social Security collaborated with the International Labor Organization to develop a statistical tool that will identify child labor risks. Furthermore, the National Child Welfare Agency issued and trained relevant agencies on a protocol for the care of child victims, and the President signed an Executive Order authorizing the countrywide expansion of childcare centers for children of migrant farm workers. However, children in Costa Rica engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. Existing social programs are insufficient to reach all child laborers, and resources for the government’s child labor law enforcement agencies remain inadequate.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Costa Rica engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. (1-9) Costa Rica’s National Institute of Statistics, which carries out annual, national-level surveys, last included a child labor module in its annual survey in 2016. (3,10,11) Table 1 provides key indicators on children’s work and education in Costa Rica.

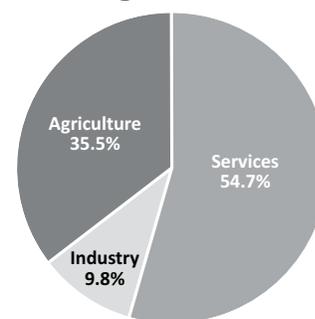
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	1.1 (8,071)
Attending School (%)	5 to 14	96.8
Combining Work and School (%)	7 to 14	1.1
Primary Completion Rate (%)		96.4

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (12)

Source for all other data: International Labor Organization’s analysis of statistics from *Módulo de Trabajo Infantil (ENHAO-MTI)*, 2016. (13)

Figure 1. Working Children by Sector, Ages 5-14



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	Cultivating bananas, pineapple, vegetables, roots, and tubers (8,14)
	Picking coffee (2,3,10,15-17)
	Weeding, clearing land, and watering seeds (4,18)
	Cattle raising, including for the production of milk (2,8,10,18)
	Fishing,† including shellfish extraction (10,19,20)

Costa Rica

SIGNIFICANT ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Construction, including of buildings (2,8,18-20)
	Mining† gold informally (18)
	Manufacturing, activities unknown (2,19)
Services	Working in restaurants, shops, and hotels (2,8,19,21)
	Street vending,† car washing, and repairing motor vehicles (2,8,10,18,20,22,23)
	Domestic work (2,8,18,19,24)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (5-7,10,25)
	Use in the production of pornography (18,25,26)
	Forced labor in the agriculture, construction, fishing, street vending, and commercial sectors (7,25,27)
	Domestic servitude (7,25)
	Use in transporting or selling drugs (7,18)

† 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.

The Ministry of Labor’s Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA) noted that working children in Costa Rica are employed in agriculture, fishing, construction, and the informal sector. Children in Costa Rica, including migrant children, are also subjected to commercial sexual exploitation, sometimes as a result of human trafficking, particularly in tourist destinations and border areas. (5-7,27) In 2018, the National Child Welfare Agency identified 43 minors in situations of commercial sexual exploitation, and an additional 4 minors were identified as victims of human trafficking and labor exploitation. (1) Migrant children, typically from Nicaragua, are subjected to forced labor in agriculture, domestic servitude, and commercial sexual exploitation. (27)

Although preschool and general basic education are free and compulsory, children in rural areas, girls, LGBTI youth and children from indigenous and Afro-descendant communities face challenges, such as discrimination and gender stereotypes, in accessing and completing their education. (1,5,28-30)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Costa Rica 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 Costa Rica’s legal framework to adequately protect children from the worst forms of child labor, including the prohibition of non-state military recruitment of children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Articles 78 and 92 of the Childhood and Adolescence Code (31)
Minimum Age for Hazardous Work	Yes	18	Articles 1 and 5 of Law 8922; Article 87 of the Labor Code (32,33)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 94 of the Childhood and Adolescence Code; Article 5 of Law 8922; Article 88 of the Labor Code; Articles 5–6 of Regulation No. 36640 (31-34)
Prohibition of Forced Labor	Yes		Articles 20 and 56 of the Constitution; Article 8 of the Labor Code; Articles 7, 170–172, 189 bis 192, 376, 381, and 383–384 of the Penal Code; Article 84 of Regulation No. 36659; Articles 7 of the Trafficking in Persons Law (33,35-38)
Prohibition of Child Trafficking	Yes		Articles 7, 170–172, 189, 192, 376, 381, and 383–384 of the Penal Code; Article 84 of Regulation No. 36659; Article 5 of the Trafficking in Persons Law (35,36,38)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 160, 168, and 170–174 of the Penal Code (35)
Prohibition of Using Children in Illicit Activities	Yes		Articles 7, 188, 381, and 390 of the Penal Code; Article 77 of the Narcotics Law (35,39)
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	17‡	Articles 57 and 59 of the Childhood and Adolescence Code; Article 78 of the Constitution (31,38)
Free Public Education	Yes		Article 59 of the Childhood and Adolescence Code; Article 8 of the Education Law; Article 78 of the Constitution (31,38,40)

† No standing military (38)

‡ Age calculated based on available information (22,31,38)

In 2018, Costa Rica passed laws revising Articles 5 and 6 of the Trafficking in Persons (TIP) Law and Articles 172 and 189 bis of the Penal Code to strengthen the provisions related to child trafficking and to align with standards set forth in the Palermo Protocol. In particular, the amendments clarify that neither force, fraud, coercion, nor proof of movement are required to establish human trafficking for child victims of trafficking. (1,27,36,41)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority and operations of the Ministry of Labor and Social Security (MTSS) 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 Social Security (MTSS)	Investigates reports of child labor, including hazardous and forced child labor. (20) Protects adolescent labor rights by conducting school and workplace visits, providing referrals to government services, and writing socio-labor studies and technical reports to inform policies and programs. (21,31)
Attorney General's Office	Enforces criminal laws protecting children, including laws prohibiting forced child labor, human trafficking, commercial sexual exploitation of children, and the use of children in illicit activities. Coordinates with the Judicial Investigative Police, Immigration Police, Uniformed Police, and municipal police forces, as well as administers the following investigative and prosecutorial units: Specialized Prosecutorial Unit against Trafficking in Persons, Organized Crime Unit, Specialized Prosecutorial Unit for Gender Issues, and Juvenile Justice Unit. (18,42)

Costa Rica

SIGNIFICANT ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Judicial Investigative Police	Investigates child labor violations, including child trafficking, child commercial sexual exploitation, and the use of children in illicit activities. (20)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Costa Rica took actions to combat child labor (Table 6). However, gaps exist within the authority and operations of the MTSS that may hinder adequate labor law enforcement, including sufficient allocation of financial resources and penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$14,284,000 (18)	\$10,351,774 (1)
Number of Labor Inspectors	81 (18)	121 (1)
Inspectorate Authorized to Assess Penalties	No (18)	No (1)
Initial Training for New Labor Inspectors	Yes (18)	Yes (1)
Training on New Laws Related to Child Labor	Yes (18)	N/A (1)
Refresher Courses Provided	No (18)	Yes (1)
Number of Labor Inspections Conducted	17,472 (42)	15,873 (1)
Number Conducted at Worksite	17,472 (42)	15,873 (1)
Number of Child Labor Violations Found	51 (42)	42 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (18)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown (18)	Unknown (1)
Routine Inspections Conducted	Yes (18)	Yes (1)
Routine Inspections Targeted	Yes (18)	Yes (1)
Unannounced Inspections Permitted	Yes (18)	Yes (1)
Unannounced Inspections Conducted	Yes (18)	Yes (1)
Complaint Mechanism Exists	Yes (18)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (18)	Yes (1)

In 2018, the MTSS worked with the ILO to develop the “Risk Module for Identifying Child Labor,” a statistical tool that will identify child labor risks and assist in prioritizing preventative efforts in vulnerable areas. The tool will be deployed in 2019, with Costa Rica being one of the first countries to employ it. (1)

During the reporting period, the MTSS identified 42 cases of child labor law violations and referred 8 of these cases to the judiciary for employer non-compliance. Three minors were also removed from child labor situations and referred to social services by the MTSS’ OATIA. (1) In addition, the government collected approximately \$3,500 in penalties for child labor violations found in previous years, carried out 6,259 routine inspections, and continued to carry out targeted labor inspections in sectors or geographical areas known to be vulnerable to labor violations. (1) Moreover, OATIA conducted workshops for labor inspectors on child labor, hazardous work, and the worst forms of child labor in the Huetar Norte, Central, and Huetar Cariba regions, with plans to cover the remaining regions of the country in 2019. New inspectors from three inspection regions also received training on child labor issues in collaboration with OATIA. (1)

Enforcement of child labor laws, particularly in rural areas, remained challenging due to insufficient funds for travel, facilities, and per diem costs incurred during inspections. (1, 18) Government monitoring and enforcement of child labor laws is also limited in the informal sector, in which most child labor occurs, especially hazardous adolescent work. (2, 10, 26, 43, 44) Informal work is more common in agriculture than in other sectors in Costa Rica. (2)

Costa Rica significantly increased its number of labor inspectors from 2017 to 2018, improving the ratio of inspectors to number of inspections conducted; however, the number of labor inspectors is likely insufficient for the size of Costa Rica’s workforce, which includes more than 2 million workers. According to the ILO’s technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Costa Rica would employ about 148 inspectors. (45-47)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Costa Rica 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	N/A (18)	No (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (18)	Yes (1)
Refresher Courses Provided	Yes (18)	Yes (1)
Number of Investigations	342 (18)	Unknown
Number of Violations Found	23 (18)	13 (1)
Number of Prosecutions Initiated	3 (42)	2 (1)
Number of Convictions	Unknown (42)	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (18)	Yes (1)

In 2018, Costa Rica’s Supreme Court approved the Judicial Branch Action Plan, which outlines actions the judiciary will take over 2 years to improve how human trafficking offenses are addressed, including strengthening the capacity of prosecutors and investigators, training judicial authorities, and developing strategies to raise public awareness of human trafficking cases. (27)

In 2018, prosecutors received training on the worst forms of child labor, including on the commercial sexual exploitation of children and on trafficking in persons and alien smuggling. (1) However, the Prosecutorial Training Unit found the training insufficient, because not all prosecutors in all parts of the country were trained, and the Unit is planning a new course for 2019 to train more prosecutors on the worst forms of child labor. (1)

Although seven individuals were convicted in 2018 for crimes involving the worst forms of child labor, which including two cases of human trafficking for the commercial sexual exploitation of children and one case of human trafficking of a child for labor exploitation research could not identify the complete number of investigations, prosecutions, and convictions related to violations of the worst forms of child labor (42) The Prosecutorial Trafficking and Smuggling Unit also reported 11 child trafficking investigations, 13 child trafficking violations, and 2 prosecutions and convictions for alleged child labor crimes in 2018. (1) Costa Rica increased its number of investigations into cases involving sexual relations with minors and remunerated sex with a minor, and provided more complete data on both of these crimes. In 2018, 22 individuals were sentenced for each of these crimes, but it was not clear how many of these cases involved child commercial sexual exploitation. (27)

Reports indicate that the judiciary, prosecutors, and the police require additional staff, training, and resources to identify victims of human trafficking and commercial sexual exploitation, refer victims to appropriate social services, and investigate, prosecute, and convict perpetrators. (6,27,48) Costa Rica also lacks a database to track human trafficking cases, making it difficult to target enforcement and prevention efforts. (27)

Costa Rica

SIGNIFICANT ADVANCEMENT

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 sufficient resources to ensure coordination among relevant agencies.

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

Coordinating Body	Role & Description
MTSS Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA)	Coordinates government policies and programs to combat child labor. (2,4,22) Oversees the Inter-Institutional Coordinating Protocol for the Protection of Working Minors. (22,49) In 2018, OATIA provided social services to three minors removed from child labor and provided trainings to government officials in various parts of the country. (1)
National Committee for the Elimination of Child Labor and the Protection of Adolescent Work	Develops and promotes policy and program initiatives focused on eliminating child labor and regulating adolescent work. Overseen by OATIA and includes a technical secretariat that comprises representatives from various sectors. (4,22)
National Child Welfare Agency (PANI)	Ensures that child labor victims receive social services, including temporary shelter, legal advice, counseling, and reintegration into the educational system. (31) In 2018, PANI established the “Protocol for the Care of Minor Victims and Survivors of Trafficking in Persons” and trained staff on the protocol. PANI also conducted child labor awareness campaigns for minors in at-risk communities and created the Institutional Technical Committee to generate and implement an institutional action plan focusing on prevention, assistance, and training on human trafficking. (1)
National Coalition against Migrant Smuggling and Trafficking in Persons (CONATT)	Leads government efforts to combat human trafficking and coordinates with OATIA and the National Commission Against the Commercial Sexual Exploitation of Children and Adolescents (CONACOES). (6,18) In 2018, CONATT implemented a training program in schools to inform teachers and students of the risks of human trafficking and child labor. (27)
CONACOES	Prevents the commercial sexual exploitation of children and provides assistance and protection to victims. (18) Led by the National Council of Childhood and Adolescence; coordinates with OATIA and CONATT to address the worst forms of child labor. (18,20,50) Research was unable to determine whether CONACOES was active during the reporting period.

In 2018, the MTSS led a series of trainings for labor and health agencies throughout the country on the implementation of the “Interagency Manual of Attention of Minors in Sexual, Trafficking, Child Labor and Dangerous Work,” which instructs public institutions on how to provide coordinated assistance to victims of human trafficking. More than 650 public employees were trained on detecting and responding to cases involving child sexual exploitation, child labor, and other forms of human trafficking. (27)

Reports indicate that coordination is lacking between institutions responsible for investigating the worst forms of child labor and providing social services to victims. (4,6) OATIA reported that its office needs additional staff to better assist children engaged in child labor and their families. In addition, OATIA noted that its office shares one vehicle with two other MTSS units, which limits its ability to provide oversight of child labor programs. (42)

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 mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap against Child Labor and the Worst Forms of Child Labor (2010–2020)	Aims to eradicate all forms of child labor in Costa Rica by 2020 by strengthening anti-poverty, health, and educational programs and policies, and by raising awareness of child labor. (51-53) On June 12, 2018, the government issued an executive order declaring the 2010–2020 Roadmap against Child Labor and the Worst Forms of Child Labor to be of public interest and calling on all public institutions to contribute to efforts to eradicate child labor. As part of the Roadmap, the government signed a cooperation agreement with the nongovernmental PANIAMOR Foundation to develop projects to prevent child labor, protect adolescent workers, and create programs for youth from disadvantaged backgrounds. (1,54) The government also signed a cooperative agreement with the Confederation of Workers Rerum Novarum and the Costa Rican Education Workers Union to collaborate on the prevention and eradication of child labor. (54)

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
Inter-Institutional Coordinating Protocol for the Protection of Working Minors	Outlines service provision for child laborers through collaboration between MTSS, PANI, the Ministry of Public Education, and the Joint Institute of Social Assistance (IMAS), as well as their regional and local agencies and the private sector. (2,4,55) As part of implementing the Protocol, MTSS led a series of trainings in 2018 for labor and health agencies throughout the country on the implementation of the “Interagency Manual of Attention of Minors in Sexual, Trafficking, Child Labor and Dangerous Work.” (27)
National Plan against the Sexual Commercial Exploitation (2017–2018)	Designated responsible agencies and established actions and timelines to address commercial sexual exploitation, including of children. (18,56) Research was unable to identify activities undertaken during the reporting period to implement the National Plan, and there were no indications that this plan was renewed beyond 2018.
National Plan for Development (2015–2018)	Incorporated efforts to decrease child labor into national education and poverty reduction strategies. (23,57) Costa Rica released its updated National Plan for Development for 2019–2022, but the new plan does not incorporate strategies to address child labor. (48)
Bridge to Development (2015–2018)	Aimed to reduce poverty and eliminate vulnerability, including child labor, by providing social services to families in poor communities. (4,26,53,58) In 2018, the Ministry of Human Development and Social Inclusion announced that the Bridge to Development program would be renewed after 2018 and expanded. The government reported that by 2018, the program had surpassed its goal for the number of families to whom it provided services. (59)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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
USDOL-funded Projects to Support Youth Apprenticeship	USDOL-funded, \$3 million Youth Pathways to Leadership, Learning, and Livelihoods in Costa Rica (2016–2020) and \$2.9 million Promoting Apprenticeship as a Path for Youth Employment in Argentina, Costa Rica, and Kenya through Global Apprenticeship Network (GAN) National Networks (2016–2019). (60,61) Additional information is available on the USDOL website.
Face of Justice Shelter†	NGO-run shelter for child victims of human trafficking that provides PANI-funded monthly subsidies to victims and care from full-time staff, including a trauma psychologist and health practitioner. (25,27) In 2018, provided ongoing shelter to two minor female human trafficking victims. (27)
Houses of Joy (<i>Casas de la Alegría</i>)†	Public-private alliance that provides culturally sensitive daycare and meals to <i>Ngábe Buglé</i> , indigenous children whose parents work on coffee farms in Coto Brus. Aims to promote social inclusion and developmental opportunities for indigenous children and provide an alternative to child labor during the coffee harvest. (3,15,18,26,63–66) IMAS funds meals, caregiver salaries, and training; farm owners provide the land and classrooms, with financial contributions from UNICEF for building and teaching materials. Began as a pilot in 2014 with 6 centers serving 175 children; in 2018, served 600 children in 15 centers. (1,15,18,26,50,55,65) The program requires approval from the Ministry of Health to expand to other coffee-growing regions in the country. (66) In 2018, through Executive Decree No. 41381, the President approved the establishment of Houses of Joy outside the Coto Brus region, allowing producers across the country and a variety of agricultural products to implement the program model. The decree also established formal operating standards for all Houses of Joy. (1,67)
Let’s Get Ahead Program (<i>Avancemos</i>)†	IMAS program that provides monthly conditional cash transfers to low-income families to keep children in school and out of exploitative work. (2,20,30,68) In 2018, Costa Rica’s Legislative Assembly approved a proposal to include a budget for the program in the yearly national budget. (69)
I Sign Up for Education (<i>Yo Me Apunto con la Educación</i>)	Ministry of Public Education program that helps at-risk high school students from vulnerable areas remain in school or return to school. (18,29) In 2018, the Ministry of Public Education published high school dropout rates from 2016 to 2017, which showed that schools participating in the program experienced an almost 3 percent decrease in dropouts. (70)
Age Classroom (<i>Aula Edad</i>)†	Ministry of Public Education program that targets children and adolescents who have never been to school or who dropped out, adolescent mothers and workers, and foreign migrant adolescents to help them complete primary school. (26) Research was unable to determine whether activities were undertaken to implement <i>Aula Edad</i> during the reporting period.

† Program is funded by the Government of Costa Rica

Costa Rica

SIGNIFICANT ADVANCEMENT

Research indicates that *Ngäbe Buglé* indigenous children in Costa Rica who migrate with their families to work seasonally on coffee farms face additional challenges in accessing social services due to long distances to service providers, language barriers, and complications in obtaining required documents from government institutions. (3,15,16)

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 Costa Rica (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
Enforcement	Authorize the labor inspectorate to assess penalties.	2014 – 2018
	Ensure that new prosecutors receive introductory training on child labor laws and policies.	2018
	Ensure that regular training is provided to all criminal investigators throughout the country.	2018
	Publish information on the number of child labor violations for which penalties were collected.	2017 – 2018
	Allocate sufficient resources to ensure regular labor inspections in rural areas and the informal sector, including child labor inspections, particularly in agriculture.	2015 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2018
Coordination	Ensure that the judiciary, prosecutors, and the police have sufficient staff, training, and resources to investigate, prosecute, and convict perpetrators of human trafficking and commercial sexual exploitation of children, as well as identify victims of child trafficking and refer them to appropriate social services.	2017 – 2018
	Strengthen coordination and information-sharing between institutions responsible for investigating child labor and providing social services to victims.	2015 – 2018
	Ensure that the National Commission Against the Commercial Sexual Exploitation of Children and Adolescents is actively implementing its mandate and reporting its yearly efforts.	2018
Government Policies	Increase transportation and human resources for the Office for the Eradication of Child Labor and Protection of the Adolescent Worker so that the office can improve program oversight.	2015 – 2018
	Integrate child labor elimination and prevention strategies into the new National Plan for Development.	2018
Social Programs	Publish efforts undertaken as part of the National Action Plan against Sexual Commercial Exploitation and renew the plan beyond 2018.	2018
	Enhance efforts to eliminate barriers and make education accessible for all children, including adolescent mothers and children from rural, indigenous, and Afro-descendant communities, by expanding existing social programs to strengthen school retention and completion for children and adolescents, particularly at the secondary level.	2015 – 2018
	Improve access to social services, particularly for indigenous children in coffee-growing areas.	2015 – 2017
	Implement <i>Aula Edad</i> objectives and report on its yearly activities.	2018

REFERENCES

- 1 U.S. Embassy - San Jose Reporting. January 8, 2019.
- 2 UCW. Entender el trabajo infantil y el empleo juvenil en Costa Rica. Rome, Understanding Children's Work (UCW) Programme. October 2015. http://www.ucw-project.org/attachment/13052016799CostaRica_trabajo_infantil_empleo_juvenil.pdf.
- 3 Government of Costa Rica. Consideraciones respecto al informe Child Labor and Forced Labor Report. San José, Ministry of Labor and Social Security. November 21, 2016. Source on file.
- 4 Government of Costa Rica. Información sobre trabajo infantil para el Departamento de Trabajo de los Estados Unidos. San José, Ministry of Labor and Social Security. December 21, 2015. Source on file.
- 5 UN Convention on the Elimination of All Forms of Discrimination against Women. Concluding observations on the seventh periodic report of Costa Rica. CEDAW/C/CRI/CO/7. July 24, 2017. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CEDAW/C/CRI/CO/7&Lang=En.
- 6 International Bureau for Children's Rights. Mapping Report on the Fight Against Human Trafficking in Costa Rica. 2016. http://www.ibcr.org/wp-content/uploads/2017/02/Cartographie-Costa-Rica-ANG_WEB.pdf.
- 7 U.S. Department of State. Trafficking in Persons Report- 2017: Costa Rica. Washington, DC, June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/costa-rica/>.

- 8 Government of Costa Rica. Magnitud y características del trabajo infantil y adolescente en Costa Rica- Informe 2016. 2017. <http://www.iniciativa2025alc.org/sites/default/files/magnitud-y-caracteristicas-del-trabajo-infantil-adolescente-CR-Informe2016.pdf>.
- 9 Presidencia de la República de Costa Rica. Costa Rica reduce trabajo infantil al sacar a 12 mil menores de edad. March 28, 2017. <http://presidencia.go.cr/comunicados/2017/03/costa-rica-reduce-trabajo-infantil-al-sacar-a-12-mil-menores-de-edad/>.
- 10 U.S. Embassy- San Jose. Reporting. January 27, 2017.
- 11 INEC. Encuesta Nacional de Hogares medirá pobreza y desigualdad, Instituto Nacional de Estadística y Censos, (online), cited December 13, 2016. <http://www.inec.go.cr/noticia/encuesta-nacional-de-hogares-medira-pobreza-y-desigualdad>.
- 12 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 13 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 14 U.S. Embassy- San Jose. Reporting. December 12, 2014.
- 15 Costa Rican Social Security Employee. Interview with USDOL official. December 7, 2015.
- 16 IOM. We improve the human security of the indigenous migrants Ngäbe and Buglé, IOM Regional Office for Central America, North America and the Caribbean. January 22, 2016. http://costarica.iom.int/en/costa_rica/81/.
- 17 La Nación. 30.000 familias todavía se ganan el sustento en cogidas de café. December 18, 2016. <http://www.nacion.com/el-pais/30-000-familias-todavia-se-ganan-el-sustento-en-cogidas-de-cafe/WNj3BIOEXRC4FN3GNGDFWFR5SU/story/>.
- 18 U.S. Embassy- San Jose. Reporting. December 28, 2017.
- 19 ILO-IPEC. Magnitud y características del trabajo infantil y adolescente en Costa Rica- Informe 2011: Geneva. 2012. <http://www.ilo.org/ipeinfo/product/viewProduct.do?productId=20655>.
- 20 U.S. Embassy- San Jose. Reporting. January 27, 2014.
- 21 U.S. Embassy- San Jose official. Email communication to USDOL official. March 24, 2015.
- 22 Government of Costa Rica. Preguntas para el informe del 2013 sobre las peores formas de trabajo infantil. San José. February 18, 2014. Source on file.
- 23 U.S. Embassy- San Jose. Reporting. January 15, 2015.
- 24 ILO CEACR. Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Costa Rica (ratification: 2001). Published: 2018. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3340943,102599,Costa Rica,2017.
- 25 U.S. Embassy- San Jose. Reporting. February 22, 2017.
- 26 U.S. Embassy- San Jose. Reporting. January 19, 2016.
- 27 U.S. Embassy- San Jose. Reporting. February 22, 2019.
- 28 UN Human Rights Committee. Consideration of Reports Submitted by States Parties Under Article 40 of the Convention: Concluding Observations: Costa Rica. Report No. CCPR/C/CR/CO/6*. Geneva, April 22, 2016 <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d/PPRiCAqhKb7yhsmeyzIwNPEw50wdOC4PJZQ0WtpVN0FDEDmm1YLuLEDcGzdExTk0QEulWplyjNoR5oZKvuaVLeMBPWW3ialrPadPNd8cju/w+L9GidLsyboh5>.
- 29 ILO CEACR. Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Costa Rica (ratification: 2001). Published: 2018. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3340939,102599,Costa Rica,2017.
- 30 U.S. Embassy- San Jose. Reporting. July 1, 2016.
- 31 Government of Costa Rica. Código de la Niñez y la Adolescencia, Ley N° 7739. Enacted: 1998 (updated 2010). http://196.40.56.11/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?param1=NRTC&nValor1=1&nValor2=43077&nValor3=107852&strTipM=TC.
- 32 Government of Costa Rica. Prohibición del Trabajo Peligroso e Insalubre para Personas Adolescentes Trabajadoras, Law 8922. Enacted: February 3, 2011. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/86385/97460/F112157985/CR186385.pdf>.
- 33 Government of Costa Rica. Código de Trabajo, Ley No. 2. Enacted: 1943 (updated 2010). <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/44102/114440/F1189960168/CR144102.pdf>.
- 34 Government of Costa Rica. Reglamento a la Ley Sobre Prohibición del Trabajo Peligroso e Insalubre para Personas Adolescentes Trabajadoras y Reforma Reglamento para la Contratación Laboral y Condiciones de Salud Ocupacional de las Personas Adolescentes, No. 36640-MTSS. Enacted: June 22, 2011. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/88852/101726/F662984233/CR188852.pdf>.
- 35 Government of Costa Rica. Código Penal, Ley 4573. Enacted: 1970 (updated 2013). http://ministeriopublico.poder-judicial.go.cr/normativa/nacional/general/02-Codigo_Penal.pdf.
- 36 Government of Costa Rica. Ley contra la trata de personas y creación de la coalición nacional contra el tráfico ilícito de migrantes y la trata de personas (CONATT), Ley 9095. Amending the Penal Code. Enacted: February 8, 2013. (Last amended 2018) http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?param1=NRTC&nValor1=1&nValor2=74132&nValor3=0&strTipM=TC.
- 37 Government of Costa Rica. Reglamento para la aplicación de la ley general de migración y extranjería número 8764 a las personas menores de edad, No. 36659. Enacted: May 2011. <http://www.migracion.go.cr/institucion/leyes migratorias/reglamentos/Reglamento de Personas Menores de Edad.pdf>.
- 38 Government of Costa Rica. Constitución Política de la República de Costa Rica. Enacted: 1949 (Updated January 1, 2014). <http://www.cesdepu.com/xn/Constitucion-Politica-2014-rsv.pdf>.
- 39 Government of Costa Rica. Reforma integral Ley sobre estupefacientes, sustancias psicotrópicas, drogas de uso no autorizado, actividades conexas, legitimación de capitales y financiamiento al terrorismo, No. 8204. Enacted: December 26, 2001. Source on file.
- 40 Government of Costa Rica. Ley Fundamental de Educación, Public Law Number 2160. Enacted: 1957 (updated 2001). <http://www.pani.go.cr/publicaciones/documentos/leyes/284-ley-fundamentalde-educacion-no-2160/file>.
- 41 Government of Costa Rica. Reforma Código Penal y Ley contra la Trata de Personas y Creación de la Coalición Nacional contra el Tráfico Ilícito de Migrantes y la Trata de Personas (CONATT) April 24, 2018. Source on file.
- 42 U.S. Embassy- San Jose official. Email communication to USDOL official. June 29, 2018.
- 43 Government of Costa Rica. Informe institucional 2015 trabajo infantil San José, Ministry of Labor and Social Security. 2015. Source on file.

Costa Rica

SIGNIFICANT ADVANCEMENT

- 44 U.S. Department of State. Country Reports on Human Rights Practices-2016: Costa Rica. Washington, DC, March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/costa-rica/>.
- 45 CIA. The World Factbook, (online). (cited April 5, 2017). <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 46 ILO. Strategies and practice for labour inspection. ILO Committee on Employment and Social Policy, November 2006. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 47 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 48 Government of Costa Rica. Plan Nacional de Desarrollo y de Inversión Pública del Bicentenario 2019 - 2022 de Costa Rica <https://observatorioplanificacion.cepal.org/es/planes/plan-nacional-de-desarrollo-y-de-inversion-publica-del-bicentenario-2019-2022-de-costa-rica>.
- 49 Government of Costa Rica. Decreto 34423-MTSS. Enacted: February 12, 2008. http://white.lim.ilo.org/ipec//documentos/protocolo_inter_costa_rica_2008.pdf.
- 50 U.S. Embassy- San Jose official. Email communication to USDOL official. May 10, 2017.
- 51 ILO-IPEC. Hoja de ruta para hacer de Costa Rica un país libre de trabajo infantil y sus peores formas: Documento Estratégico. Geneva, January 2, 2010. <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=12713>.
- 52 ILO-IPEC. Hoja de ruta para hacer de Costa Rica un país libre de trabajo infantil y sus peores formas. Geneva, March 2011 <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=16357>.
- 53 ILO. "Costa Rica intensifica estrategia para erradicar el trabajo infantil." ilo.org (online). May 4, 2015 (cited) November 9, 2015. http://www.ilo.org/sanjose/sala-de-prensa/WCMS_366040/lang--es/index.htm.
- 54 El País. Costa Rica declara de interés público la erradicación del trabajo infantil. San Jose. June 12, 2018. <https://www.elpais.cr/2018/06/12/costa-rica-declara-de-interes-publico-la-erradicacion-del-trabajo-infantil/>.
- 55 Government of Costa Rica. PROTOCOLO DE COORDINACIÓN INTERINSTITUCIONAL PARA LA ATENCIÓN DE LAS PERSONAS TRABAJADORAS MENORES DE EDAD. San José, February 12, 2008. http://white.lim.ilo.org/ipec/documentos/protocolo_inter_costa_rica_2008.pdf.
- 56 Government of Costa Rica. Plan Nacional contra la Explotación Sexual Comercial. 2017-2018. [https://www.unicef.org/PLAN-_final-Contra_ExplotacionSexualfinal-web\(2\).pdf](https://www.unicef.org/PLAN-_final-Contra_ExplotacionSexualfinal-web(2).pdf).
- 57 Government of Costa Rica. Plan Nacional de Desarrollo 2015-2018. November 2014. <http://presidencia.go.cr/blog-presidencia/2014/11/125-plan-nacional-de-desarrollo-2015-2018/>.
- 58 Government of Costa Rica. Puente al desarrollo, Government of Costa Rica. (cited February 22, 2017). <http://presidencia.go.cr/puentealdesarrollo/>.
- 59 Government of Costa Rica--Instituto Mixto de Ayuda Social "La estrategia Puente al Desarrollo no solo se mantendrá, ¡la reforzaremos!" June 18, 2018. <http://www.imas.go.cr/comunicado/la-estrategia-puente-al-desarrollo-no-solo-se-mantendra-la-reforzaremos>.
- 60 U.S. Department of Labor Youth Pathways to Leadership, Learning, and Livelihoods in Costa Rica. <https://www.dol.gov/agencies/ilab/projects/costarica-apprenticeships>.
- 61 U.S. Department of Labor. Promoting Apprenticeship as a Path for Youth Employment in Argentina, Costa Rica, and Kenya through Global Apprenticeships Network (GAN) National Networks. <https://www.dol.gov/agencies/ilab/projects/global-gan>.
- 62 Ministerio de Trabajo y Seguridad Social (MTSS). Evaluación semestral 2013: trabajo infantil y trabajo adolescente. San José, 2013. Source on file.
- 63 UNICEF. UNICEF Annual Report 2014- Costa Rica. 2014. http://www.unicef.org/about/annualreport/files/Costa_Rica_Annual_Report_2014.pdf.
- 64 UNICEF Costa Rica. CAI Casas de la Alegría Coto Brus (YouTube Video); January 13, 2016, 7 min., 29 sec. May 6, 2016. <https://www.youtube.com/watch?v=AMTYpx4JK6w&feature=youtu.be>.
- 65 U.S. Embassy- San Jose official. Email communication to USDOL official. April 12, 2018.
- 66 U.S. Embassy- San Jose official. Email communication to USDOL official. June 23, 2017.
- 67 Government of Costa Rica. Executive Decree No. 41381. 2018. https://www.ministeriodesalud.go.cr/sobre_ministerio/directrices_dm/DAJ_decreto_41381_casas_alegría.pdf.
- 68 IMAS. ¿Qué es el programa Avancemos?, Instituto Mixto de Ayuda Social (cited April 17, 2012). http://www.imas.go.cr/ayuda_social/avancemos.html.
- 69 El País. Plenario aprueba proyecto para darle rango de ley al programa "Avancemos." September 24, 2018. <https://www.elpais.cr/2018/09/24/plenario-aprueba-proyecto-para-darle-rango-de-ley-al-programa-avancemos/>.
- 70 Barquero, Karla. MEP logra mayor reducción de exclusión escolar de los últimos 10 años. La República. March 19, 2018. <https://www.larepublica.net/noticia/mep-logra-mayor-reduccion-de-exclusion-escolar-de-los-ultimos-10-anos>.

In 2018, Côte d'Ivoire made a significant advancement in efforts to eliminate the worst forms of child labor. The government developed a new 2018–2020 National Action Plan of the Fight Against Trafficking, Exploitation, and Child Labor, and drafted a National Labor Inspection Strategy. The First Lady of Côte d'Ivoire signed a memorandum of understanding for carrying out applied research on child labor in cocoa-growing areas, and opened a child protection center that houses and provides education, medical care, counseling, and vocational training to victims of child labor. The government also took enforcement actions against violations of the worst forms of child labor, including sentencing a child trafficker to 3 years in prison. However, children in Côte d'Ivoire engage in the worst forms of child labor in the harvesting of cocoa and coffee, sometimes as a result of human trafficking. Gaps remain in resources, personnel, and training for law enforcement, which hindered child labor law enforcement efforts. Furthermore, the labor inspectorate is not authorized to assess penalties.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Côte d'Ivoire engage in the worst forms of child labor, including in the harvesting of cocoa and coffee, sometimes as a result of human trafficking. (1-3) According to a Multiple Indicator Cluster Survey conducted in 2016, 21.5 percent of children ages 5–17 are engaged in hazardous work. (4) Table 1 provides key indicators on children's work and education in Côte d'Ivoire. 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	31.5 (1,682,754)
Attending School (%)	5 to 14	63.5
Combining Work and School (%)	7 to 14	21.5
Primary Completion Rate (%)		73.1

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization's analysis of statistics from Enquête Démographique et de Santé (EDSCI-III) Survey, 2011–2012. (6)

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 cocoa, including burning† and clearing fields;† cutting down trees† to expand cocoa plantations; spraying pesticides;† harvesting, drying, and fermenting cocoa beans; using sharp tools to break pods;† and transporting heavy loads† of cocoa pods and water (1,2,7-13)
	Production of cereals, pineapple, bananas, and coffee, including applying chemical fertilizers,† spraying pesticides,† cutting down trees,† and burning† and clearing fields† (1,14,15)
	Production of palm oil, cashews, honey, and rubber (2,7,16)
	Fishing, including deep sea diving;† repairing and hauling nets; cleaning,† salting, drying, descaling, and selling fish (2,14)
	Production of charcoal† (1,2,13)
	Forestry (7)

SIGNIFICANT ADVANCEMENT

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

Sector/Industry	Activity
Industry	Mining,† including crushing and transporting stones, blasting rocks, digging, working underground, sieving, and extracting gold with mercury or cyanide (2,12,14,16,18-20)
	Manufacturing, including repairing automobiles (14,16,21)
	Construction,† activities unknown (14)
Services	Domestic work (4,12,14,15,22,23)
	Working in transportation and carrying goods† (1,2,12,14,16)
	Street vending and commerce (1,7,12,14,16)
	Work in restaurants (21)
Categorical Worst Forms of Child Labor‡	Forced labor in mining, carpentry, construction, domestic work, street vending, restaurants, and agriculture, including in the production of cocoa, coffee, pineapple, cotton, and rubber, each sometimes as a result of human trafficking (1,3,9,16,23-25)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3,16,23)
	Use in illicit activities, including drug trafficking (15)
	Forced begging as talibés by Koranic teachers, sometimes as a result of human trafficking (15,19,21,26)

† 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.

Children from Côte d'Ivoire are subjected to human trafficking for forced labor in domestic work within the country and North Africa. Children are also brought from neighboring West African countries to Côte d'Ivoire for commercial sexual exploitation and forced labor, including in begging, cocoa production, and artisanal mining. (1,3,10,15,16,22) In 2018, there were reports of child trafficking from Nigeria to mining regions, especially in northern Côte d'Ivoire, for commercial sexual exploitation. (21) IOM indicates that some Ivorian parents send their boys to Tunisia so they can play soccer, but upon arrival, the boys' identity documents are confiscated and they are subject to forced labor until they can repay the cost of their plane ticket. (27)

School is mandatory for children ages 6 to 16 in Côte d'Ivoire. Although the Law on Education provides for free education, students are often required to pay for textbooks, school fees, or uniforms, which may be prohibitive to some families. (7,15,27-29) In addition, identity documents are required for students to take exams to enter secondary school, and the lack of these documents hindered some students' ability to access secondary education. (7) Approximately 23 percent of primary school-aged children and 41 percent of secondary-school aged children in Côte d'Ivoire are not enrolled in school, with the highest rates of non-enrollment found in the North, Northwest, and West regions. (4,29) A shortage of teachers, poor school infrastructure, lack of transportation systems in rural areas, and inadequate sanitation facilities have negatively impacted children's ability to attend school. (7) Research also suggests that some students are physically and sexually abused at school, which may deter some students from attending school. (29,30)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Côte d'Ivoire 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	✓

In 2017, the government ratified the UN Protocol against the Smuggling of Migrants by Land, Sea and Air, and in June 2018, the Ministry of Interior and Security passed a law on the illegal trafficking of migrants. (31,32-34)

The government's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 23.2 of the Labor Code; Article 16 of the Constitution (35,36)
Minimum Age for Hazardous Work	Yes	18	Article 4 of the Prohibitions of Hazardous Work List (37)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 5–11 of the Prohibitions of Hazardous Work List; Articles 6 and 19 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law (37,38)
Prohibition of Forced Labor	Yes		Article 5 of the Constitution; Articles 7, 11–14, 20–23, and 26 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law; Article 3 of the Labor Code (35,36,38)
Prohibition of Child Trafficking	Yes		Article 5 of the Constitution; Articles 11–12, 20–22, and 26 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law; Article 370 of the Penal Code; Articles 4.4 and 6 of the Anti-Trafficking Law (35,38-40)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 8–9, 15, and 24–29 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law; Articles 4.4 and 6 of the Anti-Trafficking Law (37,38,40)
Prohibition of Using Children in Illicit Activities	Yes		Articles 4 and 30 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law (38)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 56.4 of the Armed Forces Code; Articles 7–8 and 18 of the Law Determining the Conditions for Entering the Military (41,42)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 56.4 of the Armed Forces Code (41)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 4 and 31 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law (38)
Compulsory Education Age	Yes	16	Article 10 of the Constitution; Article 2.1 of the Law on Education (35,43,44)
Free Public Education	Yes		Article 2 of the Law on Education (44)

* No conscription (32,42,45)

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 authority of the Ministry of Employment and Social Protection (MEPS) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment and Social Protection (MEPS)	Develops, proposes, and enforces all labor laws, including those related to child labor. (30,46) Collaborates with the Anti-Trafficking Unit (ATU) and Ministry of Women, Family, and Children to provide support to victims of child trafficking and other forms of child labor. (15,22) Implements the child labor monitoring system, <i>Système d'Observation et de Suivi du Travail des Enfants en Côte d'Ivoire</i> (SOSTECI), which enables communities to collect and analyze statistical data on the worst forms of child labor. (12,14)
Ministry of Interior and Security	Through its ATU, leads efforts to enforce criminal laws against child trafficking. Through its <i>Mondaine</i> Brigades, combats commercial sexual exploitation, including exploitation of children. (3,32) Through its Unit for Combating Transnational Organized Crime, supports UNODC's West Africa Coast Initiative, which aims to improve cross-border cooperation to combat crimes, including human trafficking. (32,47)

Côte d'Ivoire

SIGNIFICANT ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Ministry of Defense	Through its National Gendarmes Force, investigates child labor violations in rural areas where there is no police presence. (15)
Ministry of Justice (MOJ)	Investigates and prosecutes crimes related to child labor, including its worst forms. Through its Directorate of Judicial Protection of Childhood and Youth, assists with investigations and implements the ministry's child protection policy. (15)
Ministry of Women, Family, and Children (MFFE)	Leads the government's efforts to combat human trafficking and implements a National Policy on Child Protection. (7,48) Maintains the 116 Allo hotline for child labor issues, and responds to complaints. (15,49) Provides support to child labor victims in coordination with MEPS. (15,50)
National Commission of Human Rights	Maintains a hotline for reporting human rights abuses. (51)

In 2018, the Directorate of Child Protection of the Ministry of Women, Family, and Children identified 16 girls from Niger between ages of 15 and 17 who were being used as prostitutes. The girls were rescued and repatriated to Niger. (7) The General Labor Directorate in Abidjan coordinates the regional offices and their efforts to combat child labor. (15,52)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Côte d'Ivoire took actions to combat child labor (Table 6). However, gaps exist within the operations of the MEPS that may hinder adequate labor law enforcement, including human resource allocation and authority to assess penalties for violations.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$329,600 (15)	\$416,171 (7)
Number of Labor Inspectors	259 (15)	292 (7)
Inspectorate Authorized to Assess Penalties	No (36)	No (7)
Initial Training for New Labor Inspectors	Yes (15)	Yes (7)
Training on New Laws Related to Child Labor	Yes (15,52)	Yes (7)
Refresher Courses Provided	Yes (15)	Yes (7)
Number of Labor Inspections Conducted	969 (52)	2,352 (53)
Number Conducted at Worksite	Unknown (15)	Unknown (7)
Number of Child Labor Violations Found	0 (15)	0 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (15)	N/A (7)
Number of Child Labor Penalties Imposed that Were Collected	N/A (15)	N/A (7)
Routine Inspections Conducted	Yes (15)	Yes (7)
Routine Inspections Targeted	Unknown (15)	Yes (7)
Unannounced Inspections Permitted	Yes (36)	Yes (7)
Unannounced Inspections Conducted	Yes (15)	Yes (7)
Complaint Mechanism Exists	Yes (15)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (7)

During the reporting period, the government hired and provided training to 33 new labor inspectors. (7) The number of labor inspectors is likely insufficient for the size of Côte d'Ivoire's workforce, which includes more than 8.5 million workers. (54) According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Côte d'Ivoire would employ about 567 labor inspectors. (54,55) Labor inspectors are also tasked with dispute conciliation, which may detract from their primary duties of inspection. (36,56) The government did not provide information on the number of labor inspections conducted at worksites for inclusion in this report.

The labor inspectorate suffers from a lack of resources, including insufficient staff, office facilities, and transportation. (15,17,30,56,57) As a result, inspectors primarily receive and resolve complaints, focusing on the formal sector. (56) In 2018, inspections took place in the informal sector, although no cases of child labor were identified. (53)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Côte d'Ivoire 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 and financial resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (15)	Yes (7)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (58)	Yes (7)
Refresher Courses Provided	No (15)	Yes (7)
Number of Investigations	42 (52)	191 (7)
Number of Violations Found	42 (52)	7 (7)
Number of Prosecutions Initiated	17 (52)	87 (7)
Number of Convictions	4 (32)	79 (7)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15,50)	Yes (7)

During the reporting period, police identified 7 infractions of child labor laws relating to trafficking and rescued 79 children. The MOJ is examining three individuals associated with these infractions, which are being heard as cases of economic and sexual exploitation of children. (7,21) All 79 children were received by or referred to the child and youth judiciary protection unit of the court. (7)

In June 2018, the First Lady of Côte d'Ivoire, on behalf of the National Monitoring Committee on Actions to Combat Trafficking, Exploitation, and Child Labor (CNS), opened a child protection center in Soubré, which houses and provides education, medical care, counseling, and vocational training to victims of child labor. (7,59) In December 2018, nine Burkinabe boys ages 14 to 18 who had been subjected to child trafficking as part of a gold mining operation were rescued and referred to the Soubré shelter before being repatriated to Burkina Faso. The trafficker was sentenced to 3 years in prison. (21)

In 2018, 3 new police officers received training on identifying victims of child trafficking. (21) However, the Anti-Trafficking Unit lacks the resources and personnel to adequately enforce criminal child labor laws throughout the country, and research indicates that criminal law enforcement officials may benefit from additional training on existing laws related to the worst forms of child labor. (3,10,51,60)

In October 2018, a 14-year old female trafficking victim was allegedly abducted at gunpoint by five *gendarmes* and two military firefighters, including the victim's trafficker, from an NGO-run shelter where she was receiving care. The UNODC and the First Lady's Office intervened and located the girl, who was determined to be safe. (21,61) Investigations and judicial proceedings against the alleged abductors were ongoing at the end of the reporting period. (61)

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 coordination among agencies.

SIGNIFICANT ADVANCEMENT

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

Coordinating Body	Role & Description
National Monitoring Committee on Actions to Combat Trafficking, Exploitation, and Child Labor (CNS)	Supervises, monitors, and evaluates all government activities related to child labor and child trafficking, including making policy recommendations and harmonizing laws with international conventions. (62,63) Chaired by the First Lady of Côte d'Ivoire and comprises 16 international and domestic partners. (22,62,64) In July 2018, CNS hosted the eighth annual Child Labor Cocoa Coordinating Group (CLCCG) Principals Meeting which was held for the first time in Abidjan. (65)
Interministerial Committee on the Fight Against Trafficking, Exploitation, and Child Labor (CIM)	Designs, coordinates, and implements all government actions to combat the worst forms of child labor, and monitors relevant programs implemented by partner organizations. (49,62,64,66) Chaired by MEPS, includes representatives from 12 other ministries. (22,62,64,66) In March 2018, representatives of CIM participated in a workshop on the implementation of SOSTECL. (67)
National Committee for the Fight Against Trafficking (CNLTP)	Formed in support of the 2016 Anti-Trafficking Law and chaired by the Prime Minister, aims to fight human trafficking throughout Côte d'Ivoire. Oversees the implementation of the National Action Plan and Strategy Against Human Trafficking, validates programs, coordinates government efforts, and monitors implementation of all projects related to human trafficking. (68) Includes representation at the local level through dedicated units charged with implementing the National Action Plan and Strategy Against Human Trafficking. (68,69) MFFE serves as the executive secretariat and the committee comprises 13 ministries. This committee replaces a previous committee by the same name, which was defunct. (15) As of February 2018, this committee had not convened since its establishment in April 2017, although it has worked together informally to resolve some cases of human trafficking. (32)

In May 2018, as part of a bilateral agreement between Côte d'Ivoire and Mali to combat cross-border child trafficking, the Office of the First Lady coordinated meetings with Malian counterparts to discuss best practices and assess the implementation of anti-trafficking efforts. (70) In 2018, the CLCCG organized awareness campaigns in Abidjan on the worst forms of child labor that reached more than 800 people and trained 126 members of Child Protection Committees in San Pedro and M'batto on the implementation of the *Système d'Observation et de Suivi du Travail des Enfants en Côte d'Ivoire* (SOSTECL). (70) Government ministries coordinated effectively during the reporting period, and platforms bring together government offices and civil society members at the departmental and regional level to address issues of child labor. However, coordination on data collection among ministries and between different regions remains a challenge. (15)

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 funding and mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Fight Against Trafficking, Exploitation, and Child Labor (2019–2021)†	Coordinated by CNS and CIM, approximately \$243 million project aimed to significantly reduce the number of children engaged in the worst forms of child labor by building on best practices and improving upon lessons learned from earlier National Action Plan implementation. Priorities include increasing efforts to mobilize resources at the national level, reinforcing regional cooperation and public-private partnerships, incorporating worst forms of child labor considerations into national and sector-specific programming, and reinforcing the monitoring and evaluation of the national strategy for the fight against trafficking and the worst forms of child labor. (53,71)
National Action Plan and Strategy Against Human Trafficking (2016–2020)	With the support of UNODC and coordinated by CNLTP, \$14.8 million project that aims to prevent human trafficking, expand social services for victims by improving physical infrastructure, provide training for law enforcement personnel and other stakeholders, promote coordination, and collect data on human trafficking. (72,73) This plan will begin implementation after the CNLTP becomes functional. (32)
2010 Declaration of Joint Action to Support the Implementation of the Harkin-Engel Protocol (2010 Declaration) and Its Accompanying Framework of Action	Joint declaration by the Governments of Ghana, Côte d'Ivoire, and the United States, and the International Cocoa and Chocolate Industry. (49,74,75) Provides resources and coordinates with key stakeholders on efforts to reduce the worst forms of child labor in cocoa-producing areas. Ensures that all project efforts implemented under the Declaration and Framework align with Côte d'Ivoire's national action plans to promote coherence and sustainability. (49,74,75) USDOL-funded projects and some industry-funded projects carried out activities that support the spirit of this policy during the reporting period. (49)

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
Partnership Agreement	Forms an agreement between the International Cocoa Initiative (ICI) and CNS in support of the National Action Plan for the Fight Against Trafficking, Exploitation, and Child Labor. Aims to reinforce and expand SOSTECI and improve school infrastructure. (76,77) In 2018, ICI conducted a mapping of schools built in cocoa-growing areas, and presented the research at the CLCCG meeting held in July 2018. Also during the reporting period, ICI supported the harmonization of SOSTECI data tools. (31)
Joint Declarations Against Cross-Border Trafficking	Bilateral declarations or cooperative agreements with Ghana and Burkina Faso to combat child trafficking and the worst forms of child labor. (78-81) Research was unable to determine whether activities were undertaken to implement the Joint Declarations Against Cross-Border Trafficking during the reporting period.
Child Protection Policies	Includes the National Policy on Child Protection (2014–2018), led by MFFE, which seeks to reduce the incidence of violence, abuse, and exploitation of children; and the National Policy of Judicial Protection of Childhood and Youth (2016–2020), led by MOJ, which aims to provide judicial protection to child victims of forced labor and has yet to be officially adopted by the Council of Ministers. (82,83) Research was unable to determine whether activities were undertaken to implement the Child Protection Policies during the reporting period.
National Development Plan (2016–2020)	Aims to improve governance and accelerate human capital development, including by combatting child labor. Allocates almost \$6.1 million over 5 years to conduct diagnostic studies on child labor and child trafficking; creates a unit in regional labor inspectorate offices to combat the worst forms of child labor; expands SOSTECI into 10 new departments; constructs 3 child protection centers; and develops a national action plan to combat human trafficking, particularly of girls. (84) During the reporting period, construction began on the Bouake and Ferkessédougou children's protection centers. Also during the reporting period, the government evaluated the efficacy of the SOSTECI model to determine best practices for 2019 expansion efforts. (31)
Compulsory Education Policy	In support of the Law on Education, aims to achieve 100 percent enrollment in primary school by 2020 and 100 percent enrollment in junior high by 2025. (27,85) Allocates \$1.34 billion to modernize the education system, including by building new classrooms, providing free textbooks to low-income families, and providing additional pedagogical training to teachers. (27) Research was unable to determine whether activities were undertaken to implement the Compulsory Education Policy during the reporting period.
Decent Work Country Program (2017–2020)	In collaboration with ILO, aims to improve working conditions, strengthen SOSTECI, and combat the worst forms of child labor. (58,86) Pending adoption by the Council of Ministers. (32) Research was unable to determine whether activities were undertaken to implement the Decent Work Country Program during the reporting period.

† 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. (28,29)

In February 2018, the First Lady of Cote d'Ivoire, on behalf of the CNS, signed a memorandum of understanding with the National Opinion Research Center at the University of Chicago (NORC) establishing a formal framework for carrying out applied research on child labor in cocoa-growing areas of Cote d'Ivoire. In February and September 2018, the government participated in workshops on the methodology of the 2018–2019 survey being conducted by NORC on the prevalence of child labor in cocoa-growing areas of Cote d'Ivoire. (7,59) In March 2018, MEPS organized an implementation workshop on SOSTECI that was attended by 70 participants. (67) An international conference on the implementation of SOSTECI was held in December 2018. (7) Also during the reporting period, the government developed a draft Labor Inspection Strategy through MEPS, with assistance from the ILO, which is expected to be enacted in 2019. The strategy aims to enable the government to ensure the application of legal provisions for the improvement of working conditions and the removal of children from work through the inspection of worksites, counseling, and monitoring. (7,31,53)

The government has not included child labor elimination and prevention strategies in the World Bank's Country Partnership Framework. (87)

Côte d'Ivoire

SIGNIFICANT ADVANCEMENT

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 adequacy of programs to address the full scope of the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL projects in cocoa-growing areas of Côte d'Ivoire and Ghana that aim to eliminate child labor through research, improved monitoring and enforcement, and implementation and expansion of SOSTECI. These projects include: Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) (2013–2019), \$7.95 million project implemented in at least 10 countries by ILO; Building a Generation of Safe and Healthy Workers: SafeYouth@Work (2014–2019), \$11,443,156 global project implemented by ILO with Côte d'Ivoire as one of 8 countries; Assessing Progress in Reducing Child Labor in Cocoa-Growing Areas of Côte d'Ivoire and Ghana (2015–2019), \$3 million project implemented by the National Opinion Research Center at the University of Chicago; and Eliminating Child Labor in Cocoa (2015–2019), \$4.5 million project implemented by ICI. (88-90) Additional information is available on the USDOL website.
Industry-Funded Projects	Industry-funded projects to increase sustainability in the cocoa sector; improve farmer livelihoods and access to education, and combat the worst forms of child labor in cocoa-growing areas. Some projects support World Cocoa Foundation's CocoaAction (2014–2020) strategy and the spirit of the 2010 Declaration. (49,91) Research was unable to determine whether activities were undertaken to implement industry-funded projects during the reporting period.
Centers for Vulnerable Children†	The government operates approximately 90 MFFE- and MEPS-funded social centers and 36 special education centers throughout the country that receive women and children who are victims of crime or violence, including children who are victims of the worst forms of child labor. (32) International NGOs also operate additional centers that provide meals and basic education. (73) In June 2018, the government began constructing centers in Bouake and Ferkessédougou. Between August and November 2018, the Soubré center spent \$32,838 to provide care to 42 children ages 6 to 16 who were victims of trafficking and exploitation. (70)
Programs to Promote Education†	These programs aim to raise school attendance rates in rural areas, particularly among girls, by providing school meals, facilitating birth registration, and constructing community schools (écoles de proximité). Programs include: the Integrated Program for Sustainable School Feeding, \$42.5 million WFP-funded program; the Ministry of National Education School Feeding Program; and the McGovern-Dole School Feeding Program, \$35.6 million joint initiative between WFP and the U.S. Department of Agriculture, in coordination with the Ministry of National Education that benefits 129,000 school children. (16,72,92-94) In 2018, these program facilitated the construction of 23 schools with 69 classrooms, 84 teacher housing units, 13 canteens, and 112 latrines in primary schools. (7,70)
World Bank-Funded Projects	Programs aim to improve access to education and provide poverty relief. Include: Second Fiscal Management, Education, Energy and Cocoa Reforms Development Policy Operation (2017–2020), \$125 million project to increase the number of primary school teachers; and Productive Social Safety Net (2015–2020), \$50 million cash transfer project to poor households in the Central, Northern, and Western regions of Côte d'Ivoire. (95,96) Research was unable to determine whether activities were undertaken to implement World Bank-funded projects during the reporting period.
Community Animation Program for Child Protection (2015–2020)†	\$228,168 MFFE program as part of the National Policy on Child Protection, implemented with technical assistance from UNICEF, provides a service package for behavior change and improving communication at the community level that can be tailored to meet local needs. (97-99) During the reporting period, conducted sensitizations in Abidjan and Yopougon on topics related to combating the worst forms of child labor. (70)
National Solidarity Fund†	\$2.5 million fund that provides assistance to poor households, including victims of human trafficking. (51,100) Research was unable to determine whether activities were undertaken to implement the National Solidarity Fund during the reporting period.

† Program is funded by the Government of Côte d'Ivoire.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (101-103)

In March 2018, the government held an evaluation workshop on the implementation of the 2015-2017 National Action Plan to Combat Trafficking, Exploitation and Child Labor (NAP). This workshop was used to inform the development of the new 2018–2020 National Action Plan. (70) The government dedicated funding to SOSTECI for its expansion and disbursed funds to the NAP, but the scope of existing programs is insufficient to fully address the extent of the problem, and not all relevant sectors are addressed. (15) In addition, the government primarily relies on NGOs to provide social services to victims of child labor and child trafficking, and government

services are under-resourced. (3,16,104) In 2018, due to a lack of financial transparency, UNICEF suspended a program implemented in 2017 in conjunction with MOJ that aimed to provide birth registration to 600,000 children who are currently enrolled in primary school. (7)

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 Côte d'Ivoire (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Strengthen the labor inspectorate by authorizing the Inspectorate to assess penalties.	2014 – 2018
	Publish information about whether inspections are conducted at worksites.	2016 – 2018
	Ensure that labor inspectorates and criminal law enforcement agencies receive a sufficient amount of funding to conduct inspections and investigations throughout the country, including in the informal sector.	2014 – 2018
	Ensure that criminal law enforcement agencies receive the resources, personnel, and training needed to adequately enforce child labor laws.	2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2018
Coordination	Ensure that all coordinating bodies function as intended and are able to carry out their mandates.	2017 – 2018
	Improve coordination on data collection among ministries and between different regions	2012-2018
Government Policies	Ensure that existing policies are implemented as intended.	2018
	Integrate child labor elimination and prevention strategies into all relevant policies.	2013 – 2018
Social Programs	Improve access to education by eliminating all school-related fees; improving the accessibility of schools; ensuring that schools are free of physical and sexual abuse; and increasing the number of teachers, sanitation facilities, and schools, particularly in rural areas.	2011 – 2018
	Ensure that social programs to address child labor are implemented in accordance with their mandates.	2018
	Expand existing programs to address the scope of the child labor problem in Côte d'Ivoire and institute programs to address child labor in all relevant sectors.	2009 – 2018
	Ensure that victims of the worst forms of child labor are able to access social services throughout the country.	2015 – 2018

REFERENCES

- Ministère d'Etat, Ministère de l'Emploi, des Affaires Sociales et de la Formation Professionnelle, et al. Etude des phénomènes de la traite et du travail des enfants dans les secteurs de l'agriculture, des mines, du transport, du commerce et du domestique. Abidjan. 2013. Source on file.
- Government of the Republic of Côte d'Ivoire. Rapport de la Phase de Perennisation et d'Extension. Abidjan. September 2016. Source on file.
- U.S. Department of State. Trafficking in Persons Report- 2017: Côte d'Ivoire. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/cote-divoire/>.
- Ministère du Plan et du Développement. La Situation des Femmes et des Enfants en Côte d'Ivoire: Enquête à Indicateurs Multiples 2016 - MICS5. 2016. https://mics-surveys-prod.s3.amazonaws.com/MICS5/West and Central Africa/Côte d'Ivoire/2016/Final/Cote d'Ivoire 2016 MICS_French.pdf.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Living Standard Survey Round 6, 2012-2013. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Abidjan. Reporting. February 22, 2019.
- Tulane University. Final Report: 2013/14 Survey Research on Child Labor in West African Cocoa-Growing Areas. New Orleans: Payson Center for International Development and Technology Transfer. July 30, 2015. <http://www.childlaborcocoa.org/index.php/2013-14-final-report>.
- Fair Labor Association. Independent External Monitoring Of Nestlé's Cocoa Supply Chain In Ivory Coast: 2014 - 2015. Washington, DC. September 2, 2015. http://www.fairlabor.org/sites/default/files/documents/reports/september_2015_nestle_executive_summary.pdf.
- O'Keefe, B. Bitter sweets: Inside big chocolate's child labor problem. March 1, 2016. <http://fortune.com/big-chocolate-child-labor/>.
- Afrique Connection. Trafic d'enfants en Côte d'Ivoire: dans l'enfer des plantations de cacao. January 9, 2016. <https://www.afriqueconnection.com/article/09-01-2016/trafic-d-enfants-en-cote-d-ivoire-dans-l-enfer-des-plantations-de-cacao>.
- N'Guettia, Martin. Système d'Observation et de Suivi du Travail des Enfants en Côte d'Ivoire (SOSTECI). CLCCG Annual Meeting: Washington, D.C. August 28, 2017. Source on file.

SIGNIFICANT ADVANCEMENT

- 13 International Cocoa Initiative Foundation. Our Results. 2017. <http://www.cocoainitiative.org/our-work/our-results/>.
- 14 Government of the Republic of Côte d'Ivoire. Plan d'action national 2015-2017 de lutte contre les pires formes de travail des enfants. Abidjan. January 22, 2015. Source on file.
- 15 U.S. Embassy- Abidjan. Reporting. January 19, 2018.
- 16 U.S. Embassy- Abidjan. Reporting. August 9, 2017.
- 17 ILO. Renforcement des capacités des Inspecteurs du Travail en matière d'intervention dans le secteur agricole: travail des enfants, santé et sécurité au travail et Système d'Observation et de Suivi du Travail des Enfants dans le secteur du cacao. Geneva. November 2013. Source on file.
- 18 ILO Committee of Experts. Individual Observation Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Côte d'Ivoire (ratification: 2003) Published: 2015. Accessed March 30, 2016. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100_COMMENT_ID:3185211:NO.
- 19 Koné, S. Enquête/ Côte d'Ivoire : Région du Hambol/ Comment des enfants de migrants sont exploités. Abidjan: Le Point Sur. October 17, 2014. <http://www.lepointsur.com/enquete-cote-divoire-region-du-hambol-comment-enfants-migrants-exploites/>.
- 20 Kouame, Joseph Arthur, et al. Evasion of Children in Ivory Coast Artisanal Mining Activities. *Journal of Sustainable Development* 8, no.9 (2015). <http://www.ccsenet.org/journal/index.php/jsd/article/viewFile/49546/28907>.
- 21 U.S. Embassy- Abidjan. Reporting. March 11, 2019.
- 22 Government of the Republic of Côte d'Ivoire: Ministre d'Etat, Ministre du Plan et du Développement, and ILO-BIT. Enquete Nationale sur le Situation de l'Emploi et du Travail des Enfants. Abidjan. November 2014. Source on file.
- 23 Amanien. ENQUÊTE/Traite des enfants en Côte d'Ivoire: Les «petites bonnes» ou l'esclavage des temps modernes. Amanien: L'Actualité Ivoirienne et Internationale. 2014. Source on file.
- 24 Traore, K. Interpol libère des enfants employés dans des plantations de cacao. June 24, 2015. <http://www.afrik.com/cote-d-ivoire-liberation-d-enfants-employes-dans-des-plantations-de-cacao-par-interpol>.
- 25 International Labor Rights Forum. The Fairness Gap: Farmer Incomes and Root Cause Solutions to Ending Child Labor in the Cocoa Industry. Washington, DC. December 2014. http://www.laborrights.org/sites/default/files/publications/Fairness_gap_low_res.pdf.
- 26 UN General Assembly. Human Rights Council, Thirty-first session, Report of the Independent Expert on capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights. January 22, 2016: A/HRC/31/78. http://www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/a_hrc_31_78.pdf.
- 27 Government of the Republic of Côte d'Ivoire. Reconstituons notre système éducatif. January 11, 2016. Source on file.
- 28 Government of the Republic of Côte d'Ivoire. Plan Decennial Education Formation 2016 – 2025. Abidjan. February 29, 2016. Source on file.
- 29 UNICEF. Draft country programme document - Côte d'Ivoire. New York. June 6, 2016: E/ICEF/2016/PL.34. http://www.unicef.org/about/execboard/files/2016-PL34-Cote_dIvoire_draft_CPD-EN-21Jun2016.pdf.
- 30 U.S. Department of State. Country Reports on Human Rights Practices-2018: Côte d'Ivoire. Washington, DC. March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/cote-divoire/>
- 31 U.S. Embassy Abidjan official. Email communication to USDOL official. July 16, 2019.
- 32 U.S. Embassy- Abidjan. Reporting. February 21, 2018.
- 33 UN Treaty Collections. 12. b Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime. Accessed March 6, 2018. 12. b Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime. Source on file.
- 34 Government of the Republic of Côte d'Ivoire. Loi N° 2018-571 du 13 juin 2018 relative à la lutte contre le trafic illicite de migrants. Enacted: June 13, 2018. Source on file.
- 35 Government of the Republic of Côte d'Ivoire. Loi N° 2016-886 du 08 Novembre 2016 Portant Constitution de la République de Côte d'Ivoire. Enacted: November 8, 2016. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/105198/128596/F-1769604843/CIV-105198.pdf>.
- 36 Government of the Republic of Côte d'Ivoire. Code du Travail, Loi N° 2015-532. Enacted: July 20, 2015. <http://www.ccilci.org/communiqués/autres/3028-code-du-travail-loi-n-2015-532>.
- 37 Government of the Republic of Côte d'Ivoire. Arrêté N° 2017-017 MEPS/CAB du 02 Juin 2017 déterminant la liste des travaux dangereux interdits aux enfants. Enacted: June 2, 2017. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/104712/127840/F1597937352/CIV-104712.pdf>.
- 38 Government of the Republic of Côte d'Ivoire. Loi N° 2010-272 du 30 Septembre 2010 Portant Interdiction de la Traite et des Pires Formes de Travail des Enfants. Enacted: September 30, 2010. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/85243/95376/F693526342/CIV-85243.pdf>.
- 39 Government of the Republic of Côte d'Ivoire. Code Penal, N° 1981-640, amended by Law N° 1995-522. Enacted: July 31, 1981. <http://www.refworld.org/docid/3ae6b5860.html>.
- 40 Government of the Republic of Côte d'Ivoire. Loi Relative a la Lutte Contre la Traite des Personnes, Loi N° 2016-1111. Enacted: December 8, 2016. Source on file.
- 41 Government of the Republic of Côte d'Ivoire. Loi N° 2016-1109 Portant Code de la Fonction Militaire. 2016. <http://www.loidici.com/codefoncmilitaire2016/fonctionmilitaire2016Recrutement.php>.
- 42 Government of the Republic of Côte d'Ivoire. Loi N° 96-572 Déterminant les Conditions d'Entrée dans la Carrière Militaire. Enacted: July 31, 1996. Source on file.
- 43 Government of the Republic of Côte d'Ivoire. Loi N° 2015-635 du 17 Septembre 2015 Portant Modification de la Loi N° 95-696 du 7 Septembre 1995 Relative à l'Enseignement. Enacted: September 17, 2015. <http://www.unesco.org/education/edurights/media/docs/dd772d376fde955a96fab3e19871f5f12b13f9d8.pdf>.
- 44 Government of the Republic of Côte d'Ivoire. Loi N° 95-696 du 7 Septembre 1995 Relative à l'Enseignement. Enacted: September 7, 1995. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=104174&p_count=1&p_classification=09.
- 45 Bamba-Lamine, A. Conseil des ministres du mercredi 07 décembre 2016. December 8, 2016. <http://news.abidjan.net/h/605633.html>.
- 46 U.S. Embassy Abidjan official. Email communication to USDOL official. March 5, 2018.
- 47 UN Office on Drugs and Crime. Côte d'Ivoire Country Page. Accessed March 6, 2018. <https://www.unodc.org/westandcentralafrica/en/cote-d-ivoire.html>.
- 48 Ministère de la Promotion de la Femme, de la Famille et de la Protection de l'Enfant. La Direction de la Protection de l'Enfant. February 1, 2016. <http://www.msfe.info/index.php/dpe>.
- 49 Child Labor Cocoa Coordinating Group. 2016 Annual Report. Washington, DC. 2017. https://www.dol.gov/sites/default/files/documents/ilab/CLCCG_2016_Annual_Report.pdf.

- 50 Government of the Republic of Côte d'Ivoire. Referral Mechanism. Source on file.
- 51 U.S. Embassy- Abidjan. Reporting. February 13, 2017.
- 52 Government of the Republic of Côte d'Ivoire. Submission for CLCCG Annual Report 2017. Abidjan. March 6, 2018. Source on file.
- 53 U.S. Embassy Abidjan official. Email communication to USDOL official. March 25, 2019.
- 54 CIA. The World Factbook. January 19, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/fields/2095.html#131>.
- 55 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 56 ILO Committee of Experts. Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Côte d'Ivoire (ratification: 1987) and Labour Inspection (Agriculture) Convention, 1969 (No. 129) Côte d'Ivoire (ratification: 1987) Published: 2017. Accessed October 19, 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298245.
- 57 ILO Committee of Experts. Individual Observation Concerning Labour Inspection (Agriculture) Convention, 1969 (No. 129) Côte d'Ivoire (ratification: 1987) Published: 2014. Accessed June 4, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3113984.
- 58 ILO-IPEC. Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor. Geneva. October 2017: Technical Progress Report. Source on file.
- 59 USDOL official. Communication to USDOL official. June 5, 2019.
- 60 ILO Committee of Experts. Individual Direct Request Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Côte d'Ivoire (ratification: 2003) Published: 2015. Accessed October 28, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3185208:NO.
- 61 U.S. Department of State. Trafficking in Persons Report - 2019: Côte d'Ivoire. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report/>.
- 62 Comité National de Surveillance des Actions de Lutte contre la Traite l'Exploitation et le travail des Enfants (CNS). Le Nouveau Cadre Institutionnel. Accessed January 23, 2017. Government of Côte d'Ivoire. <http://www.travaildesenfants.org/fr/content/le-nouveau-cadre-institutionnel#>.
- 63 Government of the Republic of Côte d'Ivoire. Création du Comité National de Surveillance des Actions de lutte contre la traite, l'exploitation et le travail des Enfants, Décret N° 2011-366. Enacted: November 3, 2011. Source on file.
- 64 Yao, SP. Présentation du Plan d'Action National 2015-2017 de Lutte contre les Pires Formes de Travail des Enfants. Abidjan: Secrétaire Exécutif du Comité National de Surveillance (CNS). 2015. Source on file.
- 65 Kouhon, Philippe. 8th meeting of (CLCCG) in Abidjan-Dominique Ouattara: "Eliminating child labor in the cocoa production chain in our countries is neither a slogan nor a mere declaration of principle". Afrikipresse. July 17, 2018. <http://www.afrikipresse.fr/societe/8e-reunion-du-clccg-a-abidjan-dominique-ouattara-eliminer-le-travail-des-enfants-de-la-chaine-de-production-du-cacao-dans-nos-pays-n-est-ni-un-slogan-ni-une-simple-declaration-de-principe>.
- 66 Government of the Republic of Côte d'Ivoire. Création du Comité Interministériel de lutte contre la traite, l'exploitation et le travail des Enfants, Décret N° 2011-365. Enacted: November 3, 2011. <http://www.travaildesenfants.org/sites/default/files/pdf/Dominique-Ouattara-Decret-de-creation-du-Comite-interministériel-de-lutte-contre-la-traite-l-exploitation-et-le-travail-des-enfants.pdf>.
- 67 U.S. Embassy Abidjan official. Email communication to USDOL official. May 29, 2019.
- 68 Government of the Republic of Côte d'Ivoire. Decret Fixant les Missions, la Composition, l'Organisation et le Fonctionnement du Comité National de Lutte Contre la Traite des Personnes. 2017. Source on file.
- 69 Government of the Republic of Côte d'Ivoire. Communiqué du Conseil des Ministres du Jeudi 13 Avril 2017. Abidjan. April 2017. <http://news.abidjan.net/h/613248.html>.
- 70 Government of the Republic of Côte d'Ivoire. Submission for CLCCG Annual Report 2018. Abidjan June 2019. Source on file.
- 71 Government of the Republic of Côte d'Ivoire. Plan d'Action National de Lutte Contre La Traite, l'Exploitation et le Travail des Enfants. Abidjan. May 19, 2019. Source on file.
- 72 U.S. Embassy- Abidjan. Reporting. February 22, 2016.
- 73 U.S. Embassy- Abidjan. Reporting. March 2, 2016.
- 74 Senator Harkin, Congressman Engel, USDOL, Government of the Republic of Côte d'Ivoire, Government of the Republic of Ghana, and International Cocoa and Chocolate Industry. Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol. Abidjan. September 13, 2010. <http://www.dol.gov/ilab/projects/summaries/GhanaSignedDeclaration.pdf>.
- 75 Senator Harkin, Congressman Engel, USDOL, Government of the Republic of Côte d'Ivoire, Government of the Republic of Ghana, and International Cocoa and Chocolate Industry. Framework of Action to Support Implementation of the Harkin-Engel Protocol. Abidjan. September 13, 2010. <http://www.dol.gov/ilab/projects/summaries/CocoaFrameworkAction.pdf>.
- 76 Ouattara, D. Mon Discours lors de la Signature du Protocole d'Accord Entre le CNS et ICI. May 2016. <http://dominiqueouattara.ci/fr/messages/la-signature-du-protocole-daccord-entre-le-cns-et-ici>.
- 77 Coffee and Cocoa. First Lady of Côte d'Ivoire and ICI Join Forces to Fight Child Labour. May 9, 2016. <http://www.coffeeandcocoa.net/2016/05/09/first-lady-cote-divoire-ici-join-forces-fight-child-labour/>.
- 78 Government of the Republic of Ghana, and Government of the Republic of Côte d'Ivoire. Cooperation Agreement to Combat Cross-Border Child Trafficking and the Worst Forms Of Child Labour. Enacted: November 3, 2016. Source on file.
- 79 Government of the Republic of Ghana, and Government of the Republic of Côte d'Ivoire. Joint Declaration of the First Ladies of the Republic of Côte d'Ivoire and the Republic of Ghana on the Fight Against Cross-Border Child Trafficking and the Worst Forms of Child Labour. Enacted: September 13, 2016. Source on file.
- 80 Government of the Republic of Côte d'Ivoire. Accord de Coopération en Matière de Lutte Contre la Traite Transfrontalière des Enfants Entre la République de Côte d'Ivoire et le Burkina Faso. October 17, 2013. http://travaildesenfants.org/sites/default/files/pdf_documents_fondateurs/Accord_de_cooperation_en_matiere_de_lutte_contre_la_traite_transfrontaliere.pdf.

SIGNIFICANT ADVANCEMENT

- 81 Government of the Republic of Côte d'Ivoire. Declaration Conjointe Des Premières Dames du BURKINA FASO et de la République de Côte d'Ivoire Relative à la Mise en Oeuvre de l'Accord de Coopération en Matière de Lutte Contre la Traite Transfrontalière des Enfants. October 17, 2013.
[http://travaildesenfants.org/sites/default/files/pdf_documents_fondateurs/DECLARATION CONJOINTE DES PREMIERES DAMES DU BURKINA FASO ET LA COTE DIVOIRE.pdf](http://travaildesenfants.org/sites/default/files/pdf_documents_fondateurs/DECLARATION_CONJOINTE_DES_PREMIERES_DAMES_DU_BURKINA_FASO_ET_LA_COTE_DIVOIRE.pdf).
- 82 Ministère de la Justice, des Droits de l'Homme et des Libertés Publiques. Politique Nationale de Protection Judiciaire de l'Enfance et de la Jeunesse. Abidjan: UNICEF, and Ministry of Justice, Human Rights and Public Liberties. November 2015. Source on file.
- 83 Ministère de la Solidarité de la Famille de la Femme et de l'Enfant. Politique Nationale de Protection de l'Enfant. 2012. Source on file.
- 84 Government of the Republic of Côte d'Ivoire. Plan national de développement (PND) 2016 - 2020. 2016.
http://gcpnd.gouv.ci/fichier/doc/TOME3_comprese.pdf.
- 85 Jeune Afrique. Côte d'Ivoire: Ouattara décrète pour les 6 à 16 ans. July 13, 2015.
<http://www.jeuneafrique.com/depeches/246529/politique/cote-divoire-ouattara-decrete-lecole-obligatoire-pour-les-6-a-16-ans/>.
- 86 ILO. Programme de promotion du travail décent en Côte d'Ivoire. July 2017. Source on file.
- 87 World Bank. World Bank Group's New Strategy Supports Côte d'Ivoire in Boosting the Economy and Eliminating Long-Standing Disparities. Washington, DC. September 29, 2015.
<http://allafrica.com/stories/201510011540.html>.
- 88 International Cocoa Initiative. Eliminating Child Labor In Cocoa (ECLIC). Washington, DC. 2015: Project Document.
[http://www.dol.gov/ilab/projects/summaries/Cote d](http://www.dol.gov/ilab/projects/summaries/Cote%20d%20Ivoire)
- 89 U.S. Department of Labor. Assessing Progress in Reducing Child Labor in Cocoa Growing Areas of Côte d'Ivoire and Ghana. Washington, DC. 2015.
<http://www.grants.gov/web/grants/view-opportunity.html?oppld=277934>.
- 90 ILO-IPEC. Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor. Washington, DC. 2013.
https://www.dol.gov/ilab/projects/summaries/GlobalCLEAR_FY13.pdf.
- 91 World Cocoa Foundation. Global Chocolate and Cocoa Companies Announce Unprecedented Sustainability Strategy in Ghana. Washington, DC: Press Release. 2014.
http://www.worldcocoafoundation.org/wp-content/uploads/FINAL-Press-Release-for-Ghana-CocoaAction-_05222014.pdf.
- 92 UN World Food Programme. Development Projects – Côte d'Ivoire 200465. May 10, 2013.
http://one.wfp.org/operations/current_operations/project_docs/200465.pdf.
- 93 UN World Food Programme. Project Budget Revision for Approval by the Regional Director. 2015.
http://one.wfp.org/operations/current_operations/BR/200465_1601.pdf?_ga=1.160856765.1656045296.1484696372.
- 94 USDA official. Email communication to USDOL official. April 2, 2019.
- 95 World Bank. Côte d'Ivoire - Second Fiscal Management, Education, Energy and Cocoa Reforms Development Policy Operation. November 6, 2017.
<http://documents.worldbank.org/curated/en/943511512702094794/pdf/Cote-dIvoire-DPO2-PD-Final-November-3-11102017.pdf>.
- 96 World Bank. Productive Social Safety Net (Project Appraisal Document). May 6, 2015.
<http://documents.worldbank.org/curated/en/902201468000929877/pdf/PAD1189-PAD-PI43332-IDA-R2015-0124-1-Box391445B-OUO-9.pdf>.
- 97 U.S. Embassy - Abidjan. Reporting. January 23, 2017.
- 98 U.S. Embassy Abidjan official. Email communication to USDOL official. June 5, 2017.
- 99 Ministère de la Solidarité, de la Famille, de la Femme et de l'Enfant. Guide de l'Animation Communautaire en Protection de l'Enfant. Abidjan: UNICEF, November 2015. Source on file.
- 100 Government of the Republic of Côte d'Ivoire. Communiqué du Conseil des Ministres du Mercredi 27 Juillet 2016. Abidjan. December 2016.
<http://aip.ci/communiqu%C3%A9/communiqu%C3%A9-du-conseil-des-ministres-du-mercredi-27-juillet-2016/>.
- 101 O'Keefe, B. First Lady of Ivory Coast: 'We Are on Track to Eliminate Child Labor.' March 1, 2016.
<http://fortune.com/2016/03/01/first-lady-ouattara-ivory-coast-cocoa-child-labor/>.
- 102 UNODC. UNODC commits to supporting the Government of Côte d'Ivoire against transnational organized crime and terrorism. Accessed October 24, 2015.
<http://www.unodc.org/westandcentralafrica/en/cote-divoire-and-unodc-against-toc.html>.
- 103 Fairtrade Africa. Child Labour Protection Project Receives a Stamp of Approval From the Ivorian Government. March 18, 2015.
<http://allafrica.com/stories/201503230524.html>.
- 104 Human Rights Watch. World Report 2017: Côte d'Ivoire. January 2017.
https://www.hrw.org/sites/default/files/cotedivoire_1.pdf.

In 2018, Djibouti made a minimal advancement in efforts to eliminate the worst forms of child labor. During the year, the Djibouti National Police created a sub-unit to investigate child begging and forced child begging. In addition, the Anti-Trafficking Working Group improved coordination among government agencies, which resulted in more holistic protective services and investigations of potential human trafficking cases, including of children. However, children in Djibouti engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. Law enforcement efforts are inadequate to prevent and combat child labor, in part because the number of labor inspectors is likely insufficient for the size of the labor force and they lack the authority to assess penalties. The government did not make adequate efforts to enforce laws related to the worst forms of child labor due to lack of financial and human resource allocation and reporting mechanisms. In addition, overall coordination is lacking in efforts to address all forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Djibouti engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) Children also perform dangerous tasks in street work. (1,3) Table 1 provides key indicators on children's work and education in Djibouti. 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	12.3 (23,693)
Attending School (%)	5 to 14	67.4
Combining Work and School (%)	7 to 14	10.2
Primary Completion Rate (%)		60.5

Source for primary completion rate: Data from 2018, published by the UNESCO Institute for Statistics, 2019. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006. (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	Caring for livestock, mostly goats (6,7)
Services	Domestic work† (3)
	Street work, such as shining shoes, washing and guarding cars, cleaning storefronts, sorting merchandise, collecting garbage, begging, and selling items, including <i>khat</i> (1,3,6)
	Working in restaurants, small shops, and family businesses (3,6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3,8)
	Forced domestic work and begging, each sometimes as a result of human trafficking (1,3)
	Use in illicit activities, including the selling of marijuana and recreational drugs (7)

† 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.

Limited reports from prior reporting periods suggested that children, including undocumented migrant girls, have historically been vulnerable to commercial sexual exploitation in Djibouti City and the Ethiopia-Djibouti trucking corridor. (8,9) Prior reporting also found that poverty among Djiboutian households made girls vulnerable to

Djibouti

MINIMAL ADVANCEMENT

commercial sexual exploitation. (6) Although primary and middle schools are tuition-free, other school-related expenses may prevent children from attending school. (10-12) Enrollment rates are lower for girls and for all children living in rural or impoverished areas, making these children more vulnerable to child labor. (12,13)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Djibouti 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 Djibouti's legal framework to adequately protect children from the worst forms of child labor, including prohibition of commercial sexual exploitation of children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 5 of the Labor Code (14)
Minimum Age for Hazardous Work	Yes	18	Articles 108 and 110 of the Labor Code (14)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 110 of the Labor Code (14)
Prohibition of Forced Labor	Yes		Articles 2 and 290 of the Labor Code; Article 23 of the Law Regarding Terrorism and Other Serious Crimes (14,15)
Prohibition of Child Trafficking	Yes		Article 1 of the Law on the Fight Against the Trafficking of Persons and the Illegal Smuggling of Migrants; Article 23 of the Law Regarding Terrorism and Other Serious Crimes (15,16)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 462–463 of the Penal Code; Articles 1 and 8 of the Law on the Fight Against the Trafficking of Persons and the Illegal Smuggling of Migrants (16,17)
Prohibition of Using Children in Illicit Activities	Yes		Articles 355–356 and 461 of the Penal Code (17)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 1 of the National Army Amendment Decree (18)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 149–151 and 461 of the Penal Code (17)
Compulsory Education Age	Yes	16	Article 4 of the Law on the Orientation of the Education System (19)
Free Public Education	Yes		Article 16 of the Law on the Orientation of the Education System (19)

* No conscription (20)

The Labor Code's minimum age provisions do not apply to children working outside of a formal employment contract. (17,21,22) The Labor Code applies only to children who perform work under a formal employment agreement, which does not conform to international standards requiring that all children be protected under the law establishing a minimum age for work. In addition, although the Labor Code prohibits the employment of children between the ages of 16 and 18 in domestic work, hotels, and bars, the types of hazardous work prohibited for children do not include street work, an area in which there is evidence of work in an unhealthy environment. (17,22,23)

The law does not specifically criminalize the offering of a child for prostitution, the production of pornography, pornographic performances, or the use of a child for prostitution. (16,17)

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 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 (MOL)	Enforces all labor laws, including child labor laws and regulations. (3) Through its Inspectorate of Labor and Social Laws, regulates youth employment. (21)
Djibouti National Police (DNP), including the Vice Squad	Enforce criminal laws and investigate crimes related to child labor. (3)
Ministry of Justice	Prosecutes child labor cases referred by the MOL. (3)
National Commission on Human Rights	Receives complaints and investigates cases of human rights violations, including child labor. (3,24) Assists victims in obtaining legal aid to prosecute violators. (24)

In February 2018, Djibouti's National Police Chief created a sub-unit to investigate child begging and forced child begging. (2) Research has not determined the extent of the sub-unit's operations since its creation.

Labor Law Enforcement

In 2018, labor law enforcement agencies in Djibouti took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Labor that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (10)	\$296,380 (3)
Number of Labor Inspectors	Unknown (10)	5 (3)
Inspectorate Authorized to Assess Penalties	No (25)	No (3)
Initial Training for New Labor Inspectors	Unknown (10)	Yes (26)
Training on New Laws Related to Child Labor	Unknown (10)	Unknown (3)
Refresher Courses Provided	Unknown (10)	Unknown (3)
Number of Labor Inspections Conducted	Unknown (10)	Unknown (3)
Number Conducted at Worksite	Unknown (10)	Unknown (3)
Number of Child Labor Violations Found	Unknown (10)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (10)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (10)	Unknown (3)
Routine Inspections Conducted	Unknown (10)	No (3)
Routine Inspections Targeted	Unknown (10)	No (3)
Unannounced Inspections Permitted	Yes (10)	Yes (3)
Unannounced Inspections Conducted	Unknown (10)	Yes (3)
Complaint Mechanism Exists	Yes (25)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (10)	Yes (3)

Djibouti

MINIMAL ADVANCEMENT

The government does not publish information on its training of labor inspectors, the number of labor inspections conducted, or the number of child labor violations. (3,26)

Labor inspections are not routinely scheduled; they are carried out in reaction to repeated or serious complaints, and only in the formal business sector. The government's policy inhibits the identification of child labor cases in the informal business sector. (3) Documented child labor violations, such as cleaning shoes, begging, washing cars, domestic work, working in small shops, selling items on the street, transporting loads, and working in family-owned businesses, occurred primarily in the informal sector. Although a mechanism for filing and responding to labor complaints exists, reports reflect a lack of efficiency and transparency. (3) Enforcement of child labor laws remains challenging due to insufficient funding and size of labor inspectorate. (3)

The number of labor inspectors is likely insufficient for the size of Djibouti's workforce, which includes more than 294,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Djibouti would employ roughly 7 labor inspectors. (27-29)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Djibouti took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (10)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (10)	Unknown (3)
Refresher Courses Provided	Yes (9)	Unknown (3)
Number of Investigations	Unknown (10)	Unknown (3)
Number of Violations Found	Unknown (10)	Unknown (3)
Number of Prosecutions Initiated	Unknown (10)	Unknown (3)
Number of Convictions	Unknown (10)	Unknown (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (10)	Yes (3,26)

The government does not publicly release information on its criminal law enforcement efforts. (3)

The Djibouti National Police (DNP) depends on the IOM to refer cases for prosecution. (22) Although the DNP can legally refer cases of child labor violations for prosecution, it lacks sufficient resources to do so, and therefore relies on international organizations, such as the IOM, to fulfill this role. (7)

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 efforts to address all forms of child labor outside the scope of human trafficking.

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

Coordinating Body	Role & Description
Anti-Trafficking Working Group	Coordinates efforts to combat human trafficking through the development of a collaboration and outreach strategy focusing on the operationalization of the National Action Plan on Trafficking in Persons (2014–2020). The inter-agency working group is led by the Ministry of Justice, and includes representatives from the MOL and the Ministry of the Interior. (1,30) In 2018, under the newly appointed National Coordinator for anti-trafficking and anti-smuggling efforts, the group met monthly, resulting in improved coordination among government agencies. (1)

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

Coordinating Body	Role & Description
National Council for Children	Promotes children's rights. Led by the Prime Minister and includes eight other agencies, representatives from NGOs, the private sector, and elected officials. (31) Advocates for (1) newborn refugees and migrants to receive birth certificates; (2) education under governmental programs for refugees and asylum seekers; and (3) family reunification for unaccompanied migrant minors. (7) In 2018, the National Council for Children introduced a program targeting children vulnerable to Anti-Human Trafficking and child labor, resulting in a temporary shelter for street children. (32)

Since the government established the Anti-Trafficking Working Group, regular meetings have improved coordination among government agencies, resulted in more holistic protective services for victims, and increased the number of investigations and prosecutions of potential human trafficking cases. (1) Although the government has established an Anti-Trafficking Working Group, research found no evidence that the government has established mechanisms to coordinate its efforts to address other forms of child labor.

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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on Trafficking in Persons (2014–2020)	Aims to strengthen the legislative framework to combat human trafficking, protect and assist human trafficking victims, and establish a national referral mechanism between law enforcement officials and social services providers. (33) Although the anti-trafficking working group met monthly during the year, the plan is not yet fully operational. (1)
UNDAF (2018–2022)	Focuses primarily on programs that build capacity for victim recognition and protection, and assists the government in the development of its "Vision 2035" plan. It was extended in 2018 and is in its early implementation phase and has not yet produced substantive results. (26)

† Policy was approved during the reporting period.

In 2018, and for the third consecutive year, the National Action Plan on Trafficking in Persons is not yet fully operational, although the working group has improved coordination during this reporting period. (1) Research was unable to determine whether the government strengthened the legislative framework, nor are there details available regarding the new Reciprocal Referral Mechanism. This year, the Government of Djibouti provided training on judiciary apparatuses and law enforcement, specifically as it pertains to victim protection. (1,26)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that may contribute to 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
Strengthening the National Criminal Justice System's Response to Trafficking in Persons in partnership with the Government of Djibouti	\$500,000 USDOS-funded program implemented by UNODC, in partnership with the government, that establishes a national referral mechanism for victims of human trafficking and a mechanism for data collection; raises awareness of human trafficking; and conducts law enforcement trainings. (3) In early 2018, the program concluded after it designed and implemented a process to broaden communication among the government, civil society, NGOs, and UN organizations. (7)
National Family Solidarity Program†	Government-funded program implemented by the State Secretariat for National Solidarity that establishes cash transfers to support Djiboutian households in extreme poverty. (34) Research was unable to determine whether activities were undertaken to implement the National Family Solidarity Program during the reporting period.

MINIMAL ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
UNICEF-funded Projects	In collaboration with the Government of Djibouti through the National Office for Assistance to Refugees and Affected Populations, the Humanitarian Action for Children Project, and the UNICEF Country Program, promote access to quality education for children, especially from rural and poor urban areas; increase birth registration; and provide support for orphans and vulnerable children. (3,35,36) In 2018, UNICEF provided child protection services to more than 3,000 vulnerable children, including children living on the streets. (12) UNICEF also enrolled an estimated 4,500 refugee and migrant children in the Read, Write and Count Education Program; assisted 4,600 children with access to pre-primary, primary, and secondary education; and coordinated the Refugee Response Plan. (12)
World Bank-funded Programs	Enhancing Income Opportunities in DJ (2015–2019) project aims to provide at least 3,000 youth with basic life skills training, coaching in business plan development, and access to finance. The Access to Quality Education Project (2014–2018), a Global Partnership for Education-funded program, sought to improve the learning environment, construct classrooms, rehabilitate and extend schools in rural areas, train teachers, and procure student learning materials. (13,37,38)
WFP's-Transitional Interim Country Strategic Plan (2018-2019)	WFP's Transitional Interim Country Strategic Plan for Djibouti maintains humanitarian assistance while focusing on strategies for programming social protection, human capital development, and resilience. (39,40) Research was unable to determine whether activities were undertaken to implement the Strategic Plan during the reporting period.

† Program is funded by the Government of Djibouti.

‡ The government had other programs that may have included the goal of eliminating or preventing child labor. (20,25,41)

On World Day Against Trafficking in Persons, the Ministry of Justice and the German Corporation for International Cooperation organized a 3-day seminar to raise awareness of human trafficking among rural populations. The training portion of the seminar focused on detection and follow up care of victims, and culminated in a series of recommendations to the Ministry of Justice to improve anti-trafficking coordination. (2)

Although the Government of Djibouti has implemented programs that target migrant children, research found no evidence of programs to assist children involved in domestic work, street work, and commercial sexual exploitation. (22) There are no official government-run shelters to assist child victims. The government has authorized NGOs to host migrant street children and orphans overnight, but does not provide support or services to assist in these efforts. (2,7)

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 Djibouti (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that hazardous occupations and activities prohibited for children are comprehensive.	2009 – 2018
	Ensure that all children are afforded minimum age for work protections under the law, including children working outside formal employment relationships.	2015 – 2018
	Ensure that laws criminally prohibit the use and offering of a child for commercial sexual exploitation, production of pornography, and pornographic performances.	2012 – 2018
Enforcement	Publish data related to labor law and criminal law enforcement efforts related to child labor.	2010 – 2018
	Strengthen the labor inspectorate by allowing the assessment of penalties.	2015 – 2018
	Ensure that the labor inspectorate targets and conducts routine labor inspections in all relevant sectors, including informal businesses.	2017 – 2018
	Ensure that the funding of the labor inspectorate and number of labor inspectors is sufficient to enforce child labor laws.	2018
	Ensure that the complaint mechanism is efficient and transparent.	2018
	Provide the necessary resources for the Djibouti National Police to make referrals for the prosecution of child labor-related violations.	2017 – 2018
	Increase the number of labor inspectors to meet ILO's technical advice.	2018
Coordination	Establish coordinating mechanisms to combat child labor.	2009 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Government Policies	Implement the National Action Plan on Trafficking in Persons by taking concrete steps to combat child trafficking.	2017 – 2018
	Undertake activities to implement the UNDAF.	2016 – 2018
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children in rural areas, including girls, by removing school-related expenses.	2015 – 2018
	Implement the National Family Solidarity Program.	2018
	Ensure that the World Food Program Transitional Interim Country Strategic Plan implementation is supported by government collaboration.	2018
	Implement programs to specifically address children involved in domestic work, street work, and commercial sexual exploitation.	2009 – 2018
	Establish official government-run shelters to assist child victims.	2018

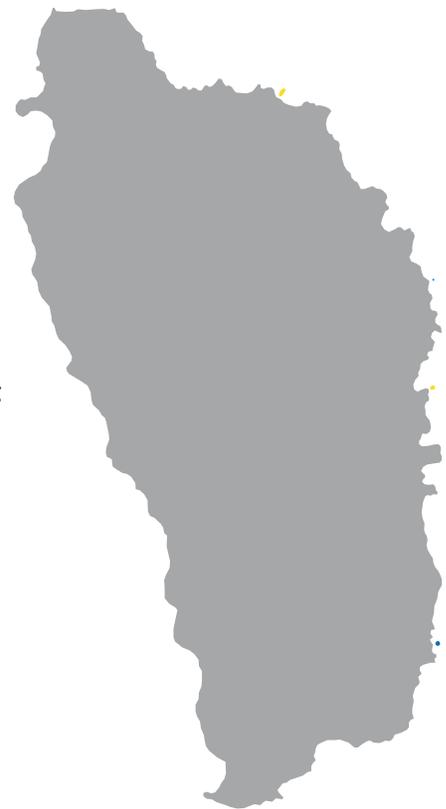
REFERENCES

- U.S. Department of State. Trafficking in Persons Report- 2018: Djibouti. Washington, DC. June 28, 2018
<https://www.state.gov/reports/2018-trafficking-in-persons-report/djibouti/>
- U.S. Embassy- Djibouti. Reporting. March 12, 2019
- U.S. Embassy- Djibouti. Reporting. February 7, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 3, 2006. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Djibouti. Reporting. January 20, 2014.
- U.S. Embassy- Djibouti official. Email communication to USDOL official. June 12, 2018.
- Terlingen, Sanne, et al. Fear and Loathing in Djibouti. December 20, 2015. <https://www.oneworld.nl/overig/fear-and-loathing-djibouti>.
- U.S. Embassy- Djibouti official. Email communication to USDOL official. March 28, 2018.
- U.S. Embassy- Djibouti. Reporting. March 11, 2018.
- U.S. Embassy- Djibouti official. Email communication to USDOL official. June 16, 2017.
- UNICEF. Djibouti Situation Report Year End 2018. 2018. https://www.unicef.org/appeals/files/UNICEF_Djibouti_Situation_Report_Year_End_2018.PDF
- World Bank. Djibouti Needs to Build and Expand on Achievements to Educate the Next Generation. February 4, 2015. <http://www.worldbank.org/en/news/feature/2015/02/04/djibouti-needs-to-build-and-expand-on-achievements-to-educate-the-next-generation>
- Government of Djibouti. Loi n° 133/AN/05/5ème portant Code du Travail, No. 133. Enacted: 2006. http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_126983.pdf.
- Government of Djibouti. Loi n° 111/AN/11/6ème relative à la lutte contre le terrorisme et autres infractions graves, No. 111. Enacted: 2011. http://www.vertic.org/media/National_Legislation/Djibouti/DJ_Loi_Terrorisme.pdf.
- Government of Djibouti. Loi n° 133/AN/16/7ème sur la lutte contre la traite des personnes et le trafic illicite des migrants, No. 133. Enacted: 2016. <http://www.presidence.dj/texte.php?ID=133&ID2=2016-03-24&ID3=Loi&ID4=6&ID5=2016-03-31&ID6=n>.
- Government of Djibouti. Le Code Pénal. Enacted: 2002. http://www.africanchildforum.org/clr/Legislation_Per_Country/djibouti/djibouti_penal_2002_fr.pdf.
- Government of Djibouti. Décret n° 79-001/PR/DEF modificatif au décret n°77-046/PR/DEF fixant le régime des commissions, engagements et rengagements dans l’Armée nationale, No. 79-001. Enacted 1979. Source on file.
- Government of Djibouti. Loi n° 96/AN/00/4ème portant orientation du système éducatif Djiboutien, No. 96. Enacted: 2000. http://www.presidence.dj/PresidenceOld/LES_TEXTEs/loi96an00.htm.
- U.S. Embassy- Djibouti. Reporting. March 17, 2017.
- Government of Djibouti. Éléments de Réponse Concernant “La Fiche Pays De Djibouti 2015 Intitulé 2015 Findings On The Worst Forms Of Child Labor”. Submitted in response to U.S. Department of Labor Federal Register Notice (October 27, 2016) “Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor.” December 7, 2016. Source on file.
- U.S. Embassy- Djibouti. Reporting. December 19, 2017.
- U.S. Embassy- Djibouti. Reporting. January 9, 2015.
- Government of Djibouti. Loi n° 59/AN/14/7ème portant organisation et fonctionnement de la Commission Nationale de Droit de l’Homme, No. 59. Enacted: 2015. <http://www.ilo.org/dyn/matlex/docs/ELECTRONIC/99841/119306/F24816027/DJ1-99841.pdf>.
- U.S. Embassy- Djibouti. Reporting. January 17, 2017.
- U.S. Embassy- Djibouti official. Email communication to USDOL official. March 26, 2019.
- CIA. The World Factbook. Accessed June 25, 2019. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- ILO. Strategies and Practice for Labour Inspection. November 2006. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017 Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.

MINIMAL ADVANCEMENT

- 30 U.S. Embassy- Djibouti official. Email communication to USDOL official. February 27, 2017.
- 31 Government of Djibouti. Décret n° 2012-067/PR/MPF portant création et organisation du Conseil National de l'Enfant, No. 2012-067. Enacted: 2012.
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/90357/104100/F1513676396/DJL-90357.pdf>.
- 32 U.S Embassy- Djibouti official. Email communication to USDOL official. July 17, 2019.
- 33 Government of Djibouti. Plan national pour combattre le trafic des êtres humains et protéger les victimes du trafic (2014–2020). 2015. Source on file.
- 34 Government of Djibouti. Décret n° 2015-279/PR/SESN portant création, organisation et fonctionnement du Programme National de Solidarité Famille, No. 2015-279. Enacted: 2015.
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/100232/120165/F1124840398/DJL-100232.pdf>.
- 35 UNICEF. Republic of Djibouti - Country programme document 2013–2017. September 14, 2012.
http://www.unicef.org/about/execboard/files/Djibouti-2013-2017-final_approved-English-14Sept2012.pdf.
- 36 UNICEF. Humanitarian Action for Children Project. 2018.
<https://www.unicef.org/appeals/djibouti.html>
- 37 World Bank. Enhancing Income Opportunities in DJ (PI48586). 2015: Implementation Status & Results Report.
<http://documents.worldbank.org/curated/en/456551470949639426/pdf/ISR-Disclosable-PI48586-08-11-2016-1470949629376.pdf>
- 38 World Bank. Access to Quality Education Project (PI45323). 2014: Implementation Status & Results Report.
<http://documents.worldbank.org/curated/en/221851530306662990/pdf/Disclosable-Version-of-the-ISR-Access-to-Quality-Education-Project-PI45323-Sequence-No-06.pdf>
- 39 World Food Programme. WFP Djibouti Transitional Interim Country Strategic Plan. 2018-2019.
https://docs.wfp.org/api/documents/1dddc70658ff40a99901edcc5f45b2b/download/?_ga=2.92336597.953041273.1554739762-804025416.1554739762
- 40 World Food Programme. WFP Djibouti Country Brief. 2018
<https://reliefweb.int/sites/reliefweb.int/files/resources/WFP-0000102424.pdf>
- 41 U.S. Embassy- Djibouti. Reporting. February 4, 2016.

In 2018, Dominica made a minimal advancement in efforts to eliminate the worst forms of child labor. The government made public its number of labor inspectors, demonstrating that the country meets the ILO’s benchmark for the ratio of labor inspectors to the size of its workforce. Although research is limited, there is evidence that children in Dominica engage in the worst forms of child labor, including in commercial sexual exploitation. Dominica’s legal framework does not protect children from exploitative work outside of the school year, and the government has not determined the types of hazardous work prohibited for children. The country also lacks prohibitions against the use of children in prostitution, pornography, or pornographic performances, and the use of children in illicit activities, including the production and trafficking of drugs.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Dominica engage in the worst forms of child labor, including in commercial sexual exploitation. (1) Table I provides key indicators on children’s work and education in Dominica. Data on some of these indicators are not available from the sources used in this report.

Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		117.9

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (2) Data were unavailable from International Labor Organization’s analysis, 2019. (3)

No current survey data on the child labor situation in Dominica is available. (1) However, limited evidence suggests that girls under age 16 are subjected to commercial sexual exploitation in exchange for clothing, phones, or other items. The Dominica Council of NGOs reported that instances of commercial sexual exploitation of children have been on the rise as a result of trauma and physical displacement since Hurricane Maria devastated the island in September 2017. (1)

The Dominica Council of NGOs also reported rising physical and sexual violence in schools which may affect access to education. (1) Some children experienced long interruptions to their education due to destruction from the hurricane and the lack of government funds to rebuild schools. Many children left Dominica to attend school in other Eastern Caribbean states. (3-5) Children from the Kalinago community face barriers to secondary education that could make them more vulnerable to the worst forms of child labor. Because there is no secondary school in the Kalinago territory, students encounter transportation and social integration challenges as they travel outside of the territory to attend school. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Dominica has ratified all key international conventions concerning child labor (Table 2).

Dominica

MINIMAL ADVANCEMENT

Table 2. 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 3). However, gaps exist in Dominica's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 3. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Articles 2 and 46 of the Education Act 1997 (6)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 4 of the Constitution; Sections 2, 8, 10, and 13 of the Transnational Organized Crime (Prevention and Control) Act (7,8)
Prohibition of Child Trafficking	Yes		Sections 2, 8, 10, and 13 of the Transnational Organized Crime (Prevention and Control) Act (8)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 2, 10, and 13 of the Transnational Organized Crime (Prevention and Control) Act; Article 18 of the Sexual Offenses Act (8,9)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 2 of the Education Act 1997 (6)
Free Public Education	Yes		Article 15 of the Education Act 1997 (6)

† No standing military

Article 46 of the Education Act prohibits the employment of children ages 5 to 16 during the school year but allows students ages 14 and older to work during school vacations or in school-sponsored employment training programs without defining the conditions, specific activities, or number of hours permissible for light work. (6) Section 7(1) of the Employment of Women, Young Persons, and Children Act prohibits children under age 18 from working at night, unless they are working with family members. The law does not otherwise prohibit the employment of children in work that is likely to jeopardize their health, safety, or morals. (10) Dominica does not have national laws or regulations that define the types of hazardous work prohibited for children. (11) The government has not enacted laws or regulations explicitly prohibiting the use of children in prostitution, pornography, pornographic performances, or illicit activities, including the production and trafficking of drugs. (12)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 4). However, gaps exist within the authority of the Ministry of Justice, Immigration and National Security that may hinder adequate enforcement of their child labor laws.

Table 4. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Labor Division, Ministry of Justice, Immigration and National Security	Conducts inspections and enforces laws related to child labor. Authorized to conduct unannounced inspections at any location with employees and to take legal action against employers violating child labor laws. (12,13) Reports cases in which children are found in exploitative labor situations to police and social services. (12,13)
Ministry of Health and Social Services	Conducts inspections and enforces laws related to child labor. Reports cases in which children are found in exploitative labor situations to police. (13) Provides social services, including education, housing, counseling, and financial aid, in child labor cases. (12,13)
Police Force	Enforces criminal laws, including those related to child labor. (1)
Ministry for Ecclesiastical Affairs, Family, and Gender Affairs	Responsible for social welfare for vulnerable groups such as abused and neglected children. Implements the “Chances” emergency shelter program for children and young adults, and the Basic Needs Trust Fund, which seeks to improve access to basic public services, enhance employability, and reduce social vulnerability in poor communities. (1)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Dominica took actions to combat child labor (Table 5). Gaps exist within the authority of the Ministry of Justice, Immigration and National Security that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 5. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown (1)
Number of Labor Inspectors	Unknown	4 (1)
Inspectorate Authorized to Assess Penalties	No (14)	No (1)
Initial Training for New Labor Inspectors	Unknown	No (1)
Training on New Laws Related to Child Labor	Unknown	No (1)
Refresher Courses Provided	Unknown	No (1)
Number of Labor Inspections Conducted	Unknown	Unknown (1)
Number Conducted at Worksite	Unknown	Unknown (1)
Number of Child Labor Violations Found	Unknown	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (1)
Routine Inspections Conducted	Unknown	Unknown (1)
Routine Inspections Targeted	Unknown	Unknown (1)
Unannounced Inspections Permitted	Yes (14)	Yes (1)
Unannounced Inspections Conducted	Unknown	Yes (1)
Complaint Mechanism Exists	Yes (14)	Yes (1,15)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (1)

Although the government has child labor law enforcement mechanisms in place, the lack of statistical data on child employment and inspections results makes it difficult to assess whether agencies are complying with international child labor conventions. (11) Limited research suggests the government may lack an overall strategy for carrying out labor inspections. Local NGOs indicate that authorities do not adequately target areas known for child commercial sexual exploitation, such as in the Silver Lake community outside of the capital city of Roseau. (1)

Dominica

MINIMAL ADVANCEMENT

In addition to the labor inspectors under the Ministry of Justice, Immigration, and National Security, the Ministry of Health and Social Services employs health and safety inspectors and fire inspectors who also inspect for labor violations. (16) Government officials report that although the number of labor inspectors is sufficient to inspect labor violations, too few technical officers are available to enforce labor laws. (16)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Dominica took actions to combat child labor (Table 6). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including financial resources.

Table 6. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	No (1)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	No (1)
Refresher Courses Provided	Unknown	No (1)
Number of Investigations	Unknown	0 (1)
Number of Violations Found	Unknown	0 (1)
Number of Prosecutions Initiated	Unknown	0 (1)
Number of Convictions	Unknown	0 (1)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	No (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (1)	No (1)

The Dominica Police Commissioner reported that there were no trainings on child labor in 2018. In addition, research indicates that the Police Force budget in general is insufficient, and police lack the transportation and equipment needed to enforce criminal laws. (1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

Research revealed no evidence that the government has established mechanisms to coordinate its efforts to address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

Research revealed no evidence that the government has established policies to address child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that may contribute to preventing or eliminating child labor (Table 7). However, gaps exist in these social programs, including adequacy of programs to address the full scope of the problem.

Table 7. Key Social Programs to Address Child Labor

Program	Description
Basic Needs Trust Fund	Caribbean Development Bank (CDB)-implemented program supervised by the Ministry for Ecclesiastical Affairs, Family, and Gender Affairs that aims to reduce poverty through livelihood services, improved infrastructure, capacity-building projects, and technical services. (17-19) In 2018, the CDB agreed to keep resources available to Dominica and extend project timelines through 2020 in recognition of the difficulties the country faced implementing projects due to Tropical Storm Erika in 2015 and Hurricane Maria in 2017. (20)
Education Trust Fund†	Government-funded program implemented by the Ministry of Education and Human Resource Development (MOE) that provides financial assistance for textbooks, transportation, and registration and exam fees to students in secondary school who would otherwise be unable to complete their education. (21,22) In 2018, the Chairman of the Board of Directors indicated the Fund would not seek contributions from the private sector given the impact from Hurricane Maria but instead would solicit an increase in government assistance for the fund. (23)

Table 7. Key Social Programs to Address Child Labor (Cont.)

Program	Description
School Textbook Provision Scheme†	Government-funded program implemented by MOE that subsidizes the cost of textbooks for primary and secondary school students. (24) Research did not identify any implementing activities undertaken during the reporting period.
School Feeding Program†	Government-funded program implemented by MOE that provides lunch to primary school students in targeted areas. (25) Research did not identify any implementing activities undertaken during the reporting period.
CHANCES†	Government-funded program implemented by the Ministry for Ecclesiastical Affairs, Family, and Gender Affairs that supports an emergency residential shelter to provide short-term services to abused and neglected children. The shelter can accept victims of the worst forms of child labor. (1,26,13,27-29) Research did not identify any implementing activities undertaken during the reporting period.
Break the Silence Awareness Program†	Government-funded program implemented by the Ministry of Health and Social Services program that raises awareness and encourages reporting of child abuse cases. (26) Managed by the Child Abuse Prevention Unit in the Social Welfare Division. (28) Research did not identify any implementing activities undertaken during the reporting period.

† Program is funded by the Government of Dominica.

In May 2018, the Organization of Eastern Caribbean States (OECS) and UNICEF published a “National Child Protection Action Plan” to guide implementation of recommendations for Dominica’s child justice framework. Dominica has neither completed the recommendations nor adopted the action plan. (1)

While the government continued to fund social programs in 2018 that could address child labor, research was unable to determine whether activities were undertaken to implement the programs during the reporting period. (1) Research found no evidence that the government has carried out programs specifically designed to assist children subjected to commercial sexual exploitation.

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 Dominica (Table 8).

Table 8. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Define the conditions, activities, and number of hours permissible for light work.	2014 – 2018
	Ensure that the minimum age for hazardous work is 18 for all children.	2015 – 2018
	Determine and codify the types of hazardous work prohibited for children, in consultation with employers’ and workers’ organizations.	2018
	Enact legislation to expressly prohibit child prostitution and the using, procuring, or offering of a child for the production of pornography or pornographic performances.	2011 – 2018
	Prohibit the use of children in illicit activities, including the production and trafficking of drugs.	2014 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
Enforcement	Authorize the labor inspectorate to assess penalties.	2016 – 2018
	Make labor and criminal law enforcement data publicly available, including data on child labor inspections, criminal investigations, and number of violations.	2014 – 2018
	Develop a national strategy for carrying out labor inspections, including a plan for targeted inspections in areas where child commercial sexual exploitation is known to occur.	2018
	Employ enough technical officers to provide sufficient labor law enforcement.	2015 – 2018
Enforcement	Ensure that labor inspectors and criminal investigators receive training on the worst forms of child labor.	2015 – 2018
	Ensure that the police have sufficient funding to enforce criminal laws.	2016 – 2018

MINIMAL ADVANCEMENT

Table 8. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Coordination	Establish coordinating mechanisms to combat the worst forms of child labor in commercial sexual exploitation, including a reciprocal referral mechanism between criminal authorities and social services.	2016 – 2018
Government Policies	Adopt policies to address the worst forms of child labor, including for children involved in commercial sexual exploitation.	2016 – 2018
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including members of the Kalinago community, by ensuring access to secondary education within the Kalinago territory.	2018
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2014 – 2018
	Develop and implement existing social programs to address the full score of child labor issues in Dominica, including commercial child sexual exploitation, and implement the recommended actions from the National Child Protection Action Plan.	2017 – 2018
	Rebuild schools, address barriers to education such as school physical and sexual violence, and ensure that disaster relief efforts include measures to prevent children from engaging in child labor and the worst forms of child labor.	2017 – 2018

REFERENCES

- U.S. Embassy- Bridgetown. Reporting. January 9, 2019.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received January 12, 2018. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- The Guardian. It Feels Like Dominica is Finished. November 1, 2017. https://www.theguardian.com/global-development/2017/nov/01/it-feels-like-dominica-is-finished-life-amid-the-ruins-left-by-hurricane-maria?link_id=85&can_id=beaac710b2c2b9630332352c8ef6ebc5&source=email-media-mentions-november-3-2017&email_referrer=email_2.
- U.S. Embassy- Bridgetown. Reporting. January 11, 2018.
- U.S. Embassy- Bridgetown official. Email communication to USDOL official. March 26, 2018.
- Government of Dominica. Education Act 1997, No. 11 of 1997. Enacted: November 7, 1997. <http://www.dominica.gov.dm/laws/1997/act11-1997.pdf>.
- Government of Dominica. Constitution of the Commonwealth of Dominica. Enacted: 1978. <http://pdba.georgetown.edu/Constitutions/Dominica/constitution.pdf>.
- Government of Dominica. Transnational Organized Crime (Prevention and Control) Act 2013, Act 13 of 2013. Enacted: May 23, 2013. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93708/109652/F-1644431634/DMA93708.pdf>.
- Government of Dominica. Sexual Offenses Act. Enacted: 1998. <http://bit.ly/ACox83>.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Dominica (ratification: 2001) Published: 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3185801:YES.
- ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Dominica (ratification: 1983). Published: 2018. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3338802.
- U.S. Embassy- Bridgetown. Reporting. January 14, 2015.
- U.S. Embassy- Bridgetown. Reporting. January 15, 2016.
- U.S. Embassy- Bridgetown. Reporting. January 11, 2017.
- Dominica Ministry of Justice, Immigration and National Security. Division of Labour. <http://justice.gov.dm/divisions/division-of-labour>.
- U.S. Embassy- Bridgetown. Reporting. January 15, 2016.
- U.S. Embassy- Bridgetown. Reporting. January 16, 2014.
- Caribbean Development Bank. Basic Needs Trust Fund. Accessed May 22, 2015. Source on file.
- Government of the Commonwealth of Dominica-Ministry of Ecclesiastical Affairs, Family, and Gender Affairs.. Basic Needs Trust Fund. <http://familyaffairs.gov.dm/programmes/bntf>.
- Caribbean Development Bank. CDB gives Dominica more time to Build Back Better. December 17, 2018. <https://www.caribank.org/newsroom/news-and-events/cdb-gives-dominica-more-time-build-back-better>.
- Ministry of Education and Human Resource Development. Friday June 5th Is Dollar Day In Schools. education.gov.dm, June 4, 2015. Source on file.
- Government of Dominica- Ministry of Education. Education Trust Fund. <http://www.education.gov.dm/departments-units/education-planning-unit/education-trust-fund>.
- Dominica News Online. Hurricane Maria deals heavy blow to Education Trust Fund. April 27, 2018. <https://dominicanewsonline.com/news/homepage/news/educationyouth/hurricane-maria-deals-heavy-blow-to-education-trust-fund/>.
- Government of the Commonwealth of Dominica. National Textbook Scheme Positively Impacting Nation. August 7, 2015. <http://news.gov.dm/index.php/news/2768-national-textbook-scheme-positively-impacting-nation>.
- Editor. Gov’t School Feeding Program. February 20, 2014. <https://www.dominicavibes.dm/education-121834/>.
- Government of Dominica. Employment of Women, Young Persons and Children Act, L.I. 5 of 1938. Enacted: February 1, 1939. <http://www.dominica.gov.dm/laws/chapters/chap90-06.pdf>.
- U.S. Embassy- Bridgetown official. Email communication to USDOL official. May 6, 2016.
- Ministry of Social Services, Family & Gender Affairs. Chances. Accessed March 7, 2016. <http://socialservices.gov.dm/index.php/programmes/chances>.
- Government of the Commonwealth of Dominica-Ministry of Social Services, Family, and Gender Affairs. Chances. <http://socialservices.gov.dm/programmes/chances>.

In 2018, the Dominican Republic made a moderate advancement in efforts to eliminate the worst forms of child labor. The government significantly increased the Labor Inspectorate’s budget from \$3.3 million in 2017 to \$4.8 million in 2018. The government also approved the 2017 - 2020 National Action Plan against Human Trafficking and Illicit Smuggling of Migrants and continued to fund and participate in multiple programs that include the goal of eliminating or preventing child labor, including expanding the Extended School Day program to cover 1.3 million students. However, children in the Dominican Republic engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Other gaps remain, including limited human and financial resources for the enforcement of child labor laws, and inadequate assistance for children engaged in harmful agricultural work and commercial sexual exploitation.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Dominican Republic engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-4) Children also perform dangerous tasks in agriculture. (5-8) Table I provides key indicators on children’s work and education in the Dominican Republic.

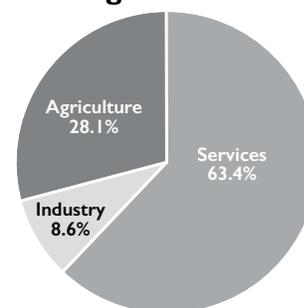
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	2.1 (21,968)
Attending School (%)	10 to 14	98.4
Combining Work and School (%)	10 to 14	2.0
Primary Completion Rate (%)		95.3

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (9)

Source for all other data: International Labor Organization’s analysis of statistics from Encuesta Nacional de Fuerza de Trabajo, 2014. (10)

Figure I. Working Children by Sector, Ages 10-14



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	Clearing land for sugarcane production, planting and harvesting sugarcane,† and collecting cut cane† (11-14)
	Producing coffee, cocoa, rice, tomatoes, bananas, beans, corn, garlic, onions, and potatoes (7,15-21)
	Fishing† (18,22)
Industry	Producing baked goods (5,19)
	Mining† for <i>larimar</i> (a blue stone often used for jewelry) (5)
	Construction,† activities unknown (8)
Services	Street work, including vending,† shoe shining, begging, washing car windows, and transporting packages in markets (2,18,19,22-26)
	Working in beauty salons, restaurants, bars,† and coffee shops (5,27)
	Working in woodworking shops, auto repair shops, and welding shops (8,16,17,19,24)

Dominican Republic

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Scavenging in landfills (19,24,28)
	Domestic work (2-5,19,26)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, agriculture, construction, street vending, and begging, each sometimes as a result of human trafficking (4)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3,14,29)
	Use in illicit activities, including drug trafficking, sometimes as a result of human trafficking (1,30)

† 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.

Children in the Dominican Republic engage in commercial sexual exploitation, particularly in coastal, tourist locations. The porous border between Haiti and the Dominican Republic has allowed some Haitian children to be trafficked into the Dominican Republic, where they have been engaged in commercial sexual exploitation and forced to work in agriculture, domestic work, street vending, or begging. (1-3,14,24,31,32) Some children, including Haitian children and Dominican-born children of Haitian descent, work in agricultural production, including sugarcane, often alongside their parents, and live in communities that frequently lack basic services, including schools. (11-14,23,33-35)

Many Dominican-born persons of Haitian descent, including children, continue to remain in undocumented status as a result of the 2013 Constitutional Tribunal Judgement, which retroactively revised the Dominican Republic’s citizenship transmission laws, and were not able to obtain legal residency documents under Law 169-14 or the National Regularization Plan during the reporting year. (23,35,40-46) Children of undocumented migrant parents, many of Haitian descent, are particularly vulnerable to labor exploitation because they may lack birth or residency documents. This increases the likelihood that undocumented children may be denied access to education or may be engaged in child labor, including its worst forms, as labor inspectors may not be able to verify their ages. (1,2,28,33,36-39) In addition, Haitian children who remain in the Dominican Republic after their parents have been repatriated to Haiti due to their undocumented status are more vulnerable to the worst forms of child labor. (33,47,48)

In 2018, the government established a working group with the Inter-American Commission on Human Rights on the implementation of human rights policies in the Dominican Republic, including monitoring recommendations and commitments related to the acquisition of nationality, migration, and policies to combat all forms of discrimination. (49-53) The General Migration Directorate also extended the period for processing documentation and delivered more than 90,000 identity documents to undocumented individuals approved under the National Regularization Plan (PNRE). By the end of the reporting period, nearly 200,000 of the 260,000 approved PNRE participants had renewed their temporary migration status. (49-51) However, as of December 2017, the last date for which information is available, of an estimated 135,000 Dominican-born individuals of Haitian descent affected by the 2013 Constitutional Tribunal Judgement only 21,000 individuals had received birth registration documentation. (35,40,41)

National law guarantees free public education, requires that all children attend school until age 18, and prohibits the exclusion of children from the educational system based on a lack of identity documents. (47,54-57) Parents are also instructed to obtain birth registration documents for their children and the Ministry of Education provides free legal services to help parents obtain identity documents. In addition, national policy allows undocumented children to enroll in school. (58) The Ministry of Education’s Office of Community Participation is the point of contact to handle school denial cases for children without identity documents and has re-issued a directive to public schools noting all children must be allowed to attend school, regardless of their documentation. Parents may also appeal to the district government or the Ministry of Education’s regional office if their child is denied educational access. (21,40,45,58,59) In addition, the Ministry of Education conducted public awareness-raising campaigns during the reporting period about school registration and the right to education for all children. Research did not identify cases of children without identity documents being denied access to

education during the reporting period. (21,45,58,59) However, the Ministry of Education’s current Operations Manual of Public Education Centers incorrectly requires school administrators to request children to present identity documents to enroll in school. (62,63) Moreover, the Ministry of Education requires that students have a birth certificate on file to issue a high school diploma. As a result, children without identity documents are unable to prove that they have completed high school. (64,65)

Teacher shortages and a lack of school infrastructure create barriers to accessing education in the Dominican Republic. In addition, a high percentage of students drop out at the primary and secondary levels. (3,23,66-68) These issues particularly affect children living in rural areas and in communities predominantly of Haitian descent. Sources also indicate that some children of Haitian descent face discrimination by teachers and peers, travel long distances to schools, and are unable to afford school fees and supplies. (3,23,66-68)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Dominican Republic 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 the Dominican Republic’s legal framework to adequately protect children from the worst forms of child labor, including the prohibition of military recruitment by non-state groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 245 of the Labor Code; Article 40 of the Code for the Protection of Children and Adolescents (54,69)
Minimum Age for Hazardous Work	Yes	18	Sections 1–2 of the Resolution on Hazardous Work for Persons Under Age 18; Article 251 of the Labor Code (34,69)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1–3 of the Resolution on Hazardous Work for Persons Under Age 18 (34)
Prohibition of Forced Labor	Yes		Articles 1, 3, and 7 of the Law Against Migrant Smuggling and Trafficking in Persons; Articles 25 and 409 of the Code for the Protection of Children and Adolescents; Articles 40–41 of the Constitution (54,70,71)
Prohibition of Child Trafficking	Yes		Articles 1, 3, and 7 of the Law Against Migrant Smuggling and Trafficking in Persons; Articles 25 and 409 of the Code for the Protection of Children and Adolescents; Article 41 of the Constitution (54,70,71)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 25 and 408–411 of the Code for the Protection of Children and Adolescents; Article 3 of the Law Against Migrant Smuggling and Trafficking in Persons; Article 24 of the Law on Technological Crime (54,70,72)

Dominican Republic

MODERATE ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Article 85 of the Law on Drugs and Controlled Substances (73)
Minimum Age for Voluntary State Military Recruitment	Yes*	18	Articles 26 and 96–97 of the Organic Armed Forces Law (74)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Articles 96–97 and 231–232 of the Organic Armed Forces Law (74)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	18‡	Article 63 of the Constitution; Articles 33, 35, 37, and 40 of the Organic Law of Education (55,71)
Free Public Education	Yes		Article 63 of the Constitution; Articles 33, 35, 37, and 40 of the Organic Law of Education; Ministry of Education Circular No. 18 of 2011; Articles 45–46 of the Code for the Protection of Children and Adolescents (54,55,57,71)

* No conscription (74)

‡ Age calculated based on available information (55,71)

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. (55,71)

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 authority of the Ministry of Labor (MT) 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 (MT)	Leads efforts to eliminate child labor, conducts labor inspections, and oversees the Child Labor Directorate (DTI). Refers children found in exploitative conditions to social services, mainly the National Council for Children and Adolescents (CONANI). (23,24,75-77)
Office of the Attorney General (AG)	Prosecutes crimes involving children, including criminal violations related to the commercial sexual exploitation of children and other worst forms of child labor. Oversees the Special Prosecutor for Migrant Smuggling and Human Trafficking (PETT), which receives notifications of alleged violations related to the worst forms of child labor through a hotline. (1,14,78,79) In 2018, PETT secured 9 convictions related to human trafficking, and was investigating 33 human trafficking cases and prosecuting 23 cases. PETT also identified 44 human trafficking victims who were referred to the appropriate social services, but did not provide details on the ages and gender of the victims. (80)
National Police's Trafficking in Persons Unit and the Directorate of Migration	Enforce criminal laws, including those prohibiting the worst forms of child labor, and coordinate with the AG in the prosecution of perpetrators. Under the Ministry of the Interior. (1,14,18,79)
Specialized Corps for Tourist Safety (CESTUR)	Prevents child sex abuse and commercial sexual exploitation in tourist areas, rescues child victims, and arrests and brings to justice child sex offenders. Overseen by the Ministry of Defense. (14,81)
Local Vigilance Committees*	Prevent child labor at the local level by alerting law enforcement of activities linked to child labor, directing victims of child labor to social services, and working closely with the National Steering Committee to Eliminate Child Labor (CDN) to raise awareness of child labor. (20,82) In 2018, an additional 14 Vigilance Committees were created in municipalities with a high presence of child labor for a total of 33 Vigilance Committees. (83,84)

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
National Council for Children and Adolescents (CONANI)	Develops and implements policies and programs to eradicate all forms of violence against children, including child labor, as well as improve the employability of young people. Coordinates with the MT to protect children against labor exploitation and enforce labor laws. (23,75,78,81)

* Agency responsible for child labor enforcement was created during the reporting period.

Labor Law Enforcement

In 2018, labor law enforcement agencies in the Dominican Republic took actions to combat child labor (Table 6). However, gaps exist within the authority of the MT that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$3.3 million (85)	\$4.8 million (85,86)
Number of Labor Inspectors	176 (8)	148 (21)
Inspectorate Authorized to Assess Penalties	No (8)	No (21)
Initial Training for New Labor Inspectors	N/A	Yes (21)
Training on New Laws Related to Child Labor	N/A	N/A (21)
Refresher Courses Provided	Yes (8,20)	Yes (21)
Number of Labor Inspections Conducted	83,436 (64)	75,751 (85)
Number Conducted at Worksite	83,436 (64)	75,751 (85)
Number of Child Labor Violations Found	44† (8)	31‡ (21)
Number of Child Labor Violations for Which Penalties Were Imposed	44† (8)	31‡ (21)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (8)	Unknown (21)
Routine Inspections Conducted	Yes (8)	Yes (21)
Routine Inspections Targeted	Yes (8,20)	Yes (21)
Unannounced Inspections Permitted	Yes (8,16)	Yes (21)
Unannounced Inspections Conducted	Yes (8,16)	Yes (21)
Complaint Mechanism Exists	Yes (8,16)	Yes (21)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8,22)	Yes (21)

† Data are from January 1, 2017 to October 31, 2017. (8)

‡ Data are from January 1, 2018 to November 30, 2018. (21)

In 2018, the labor inspectorate was allocated a budget of \$4.8 million, an increase of \$1.5 million from 2017. During the year, the MT employed 148 full-time labor inspectors, and plans to hire and train an additional 50 inspectors in 2019. (21,86) Even so, that number of labor inspectors is insufficient for the size of the Dominican Republic's workforce, which includes over 4.7 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, the Dominican Republic would employ about 315 labor inspectors. (87-89)

The MT's process for labor inspections includes a preliminary visit, during which inspectors inform employers of violations and establish periods for remediation but do not issue fines. Upon expiration of the remediation periods, inspectors conduct re-inspections to determine whether the violations have been remedied. (69,90) If re-inspections find that the identified violations persist, the MT files infraction reports with its local office, which then transfers the infraction reports to the relevant local court for adjudication. (69,90) Re-inspections occur less frequently and are more difficult and less consistent in remote rural areas. In addition, evidence suggests that some inspection reports do not set a timeframe for the remediation of the violations identified. (91) The MT is not authorized to assess penalties, and penalties for violating child labor laws are insufficient to deter violations. (21,69,86)

Dominican Republic

MODERATE ADVANCEMENT

Although the 2008 General Inspection Protocol and the 2011 Inspection Protocol for Agriculture instruct inspectors to assess child labor violations by reviewing workers' identity documents and employers' records, making observations, and conducting interviews, the widespread lack of identity documents impedes both inspectors and employers from verifying the ages of workers and guaranteeing children under age 18 are not participating in dangerous or unhealthy work. (90) The MT indicated improvements could be made with respect to how inspectors conduct interviews, ask follow-up questions, and use inspection data to strengthen the inspection system. Moreover, reports indicate in some cases, Spanish-speaking inspectors working without translation assistance have been responsible for interviewing Creole-speaking workers with limited or no Spanish-language abilities, which may have further hindered the efficacy of those inspections. (18)

From January through November 2018, the MT conducted 75,751 labor inspection visits, of which 61,345 were routine inspection visits. In addition, the MT conducted 6,230 targeted child labor inspections in high-risk sectors, such as agriculture, construction, mining, and services in both rural and urban areas. (21,85,86) However, the MT only reported finding 31 child labor violations. (21) Some NGOs and labor unions have reported inspections are not always conducted in a timely manner after requests are made. In addition, evidence suggests that inspection reports often contain errors and contradictions that undermine the credibility of these reports, including by limiting the sample size of worksites for inspection in large rural facilities. (27,91,92) Reports also indicate substandard labor inspections, incomplete labor inspection reports, and the limited number of labor-focused prosecutors have hindered the ability of the Office of the Attorney General (AG) to pursue prosecutions on criminal matters involving child labor issues. (92)

A formal referral mechanism allows the MT to refer child labor victims found during labor inspections to the National Council for Children and Adolescents (CONANI) for social services. During the reporting period, the MT reported it removed 363 victims of child labor from work sites, and transferred their cases to CONANI, where the children received social and reintegration services. (20-22)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in the Dominican Republic 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 the lack of publicly available enforcement information, coordination among agencies, and human and financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Yes (21)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (21)
Refresher Courses Provided	Yes (79)	Yes (21)
Number of Investigations	8 (8,59,93)	10 (21,93)
Number of Violations Found	Unknown	Unknown (21,94)
Number of Prosecutions Initiated	Unknown	Unknown (21,94)
Number of Convictions	Unknown	Unknown (21)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (80)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8,27)	Yes (21)

In 2018, law enforcement officials identified and assisted 25 child victims of human trafficking and commercial sexual exploitation. (94) The government also reported that it secured 22 convictions for human trafficking, and 9 cases of human trafficking for commercial sexual exploitation. In addition, the government reported 70 percent of the convictions in 2018 related to human trafficking involved underage victims. (94) Despite this information, the number of investigations, prosecutions, and convictions related to the worst forms of child labor is unknown. (21,94)

During the reporting period, the National Institute of Migration launched a certificate program for employees of the Ministry of the Interior and National Police on providing assistance to victims of human trafficking, and the National Police received training from an international NGO on combating human trafficking. (21,95,96) Despite these efforts, reports indicate the capacity of enforcement agencies to identify, investigate, and prosecute criminal cases related to the worst forms of child labor are limited due to a lack of human and financial resources. (1,18,59) In 2018, the leadership of the Attorney General’s Specialized Anti-Trafficking Unit (PETT) changed twice, and for most of the reporting period the office had half the number of prosecutors compared to previous years. (21,80) In addition, reports indicate coordination between the MT and the AG has been limited due mainly to a lack of appropriate case tracking systems and not all criminal violations identified by the MT have been referred to, and subsequently investigated and prosecuted adequately by the AG. (8,60,92)

During the reporting period, the Government of the Dominican Republic collaborated with the International Justice Mission to rescue 96 victims of commercial sexual exploitation, including 25 girls under age 18, and referred all of them to CONANI for services. Despite these efforts, reports indicate that CONANI does not have the resources, facilities, and institutional capacity to meet the demand for services nationwide. (2,3,6,93,95)

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 insufficient funding for key coordinating bodies to carry out their mandates.

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

Coordinating Body	Role & Description
National Steering Committee to Eliminate Child Labor (CDN)	Develops policies, approves programs, and coordinates, monitors, and evaluates efforts to combat child labor in the Dominican Republic. Overseen by the MT and comprising ministerial representatives, labor unions, private sector representatives, and NGOs. (23,24,75,77,97) In 2018, met several times to implement activities under national action plans, including implementing awareness-raising campaigns in agricultural zones and training government and non-governmental stakeholders on child labor laws. In addition, coordinated the creation of 14 additional Local Vigilance Committees to combat child labor in high-risk municipalities. (21,83,84,86)
Inter-Institutional Commission Against Child Abuse and Commercial Sexual Exploitation	Coordinates actions to combat commercial sexual exploitation and child abuse. Led by CONANI and the MT, and includes representatives from the Ministries of Tourism, Education, and CESTUR, local and international organizations, and the Hotel and Restaurant Association. (1,3,79,81) In 2018, met several times with the CDN and supported the creation of two Local Vigilance Committees in municipalities with a high prevalence of child commercial sexual exploitation. (84,86)
Inter-Agency Commission Against Trafficking in Persons (CITIM)	Coordinates efforts to combat human trafficking and responsible for developing and implementing national plans. Led by the Ministry of Foreign Affairs and comprises 14 government agencies, including the MT and law enforcement agencies. (1,86,98) In 2018, unveiled the new 2017–2020 National Action Plan Against the Trafficking of Persons and Illicit Smuggling of Migrants. (21,86,95) Also collaborated with the Attorney General’s Office, UNICEF, and the Dominican Airports (AERODOM) to conduct an awareness-raising campaign in airports to educate the public about the penalties for crimes involving the commercial sexual exploitation of children. (99)
Social Policies Coordination Cabinet (GCPS)	Coordinates all social policies and conditional cash transfer programs, such as the Progressing with Solidarity Program (PROSOLI). Led by the Vice President. (18,75) In 2018, continued to expand the coverage of PROSOLI, trained PROSOLI participants on preventing child labor, and collaborated with UNICEF to improve PROSOLI’s system to track program participants. (83,84,100)

Evidence suggests that the Local and Municipal Committees of the CDN face limitations in their coordination efforts due to a lack of financial resources to adequately carry out their mandates. (21)

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 insufficient funding for implementation.

Dominican Republic

MODERATE ADVANCEMENT

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategic Plan to Eradicate the Worst Forms of Child Labor (PEN) (2006–2020)	Identifies the roles and responsibilities of government agencies and municipal representatives in eradicating the worst forms of child labor. Prioritizes prevention, protection, assistance, and the progressive eradication of the worst forms of child labor. (18,76,101) In 2018, the MT collaborated with the Autonomous University of Santo Domingo to develop a certificate program to train public officials on child labor laws and how to implement policies for the prevention and eradication of child labor. (83,84)
Roadmap Towards the Elimination of Child Labor in the Dominican Republic (2016–2020)	Aims to eliminate child labor by 2020 and sets targets and indicators for poverty reduction, health, education, institutional coordination, awareness raising, and information sharing. (3,22,75,77,102) In 2018, distributed information about child labor on radio and television programs for World Day Against Child Labor. (84)
National Action Plan against Human Trafficking and Illicit Smuggling of Migrants (2017–2020)†	Identifies the roles and responsibilities of government agencies in preventing and combating trafficking in persons and assisting trafficking victims. Approved in 2018 and implemented by the CITIM. (21,95,98,103)
Education Pact (2014–2030)	Includes strategies to combat child labor and seeks to improve the quality of, and access to, primary and secondary education by increasing attendance and graduation rates and enrolling more students in the Extended School Day Program. (75,104,105) Implemented by the Ministry of Education and supported by World Bank. In 2018, received an additional \$50 million in support for the 2018–2022 period and was extended for an additional 2 years until September of 2022. (105,106)
National Development Strategy 2030 (END)	Aims to reduce poverty and inequality and includes programs that aim to combat child labor, provide universal education to all children, and expand access to secondary school, including for students without identity documents. Implemented by the Ministry of Economy. (22,66,75,107) During the reporting period, the Ministry continued to dedicate 4 percent of GDP to education as indicated by the National Development Strategy. (21,108)

† Policy was approved during the reporting period.

Insufficient allocation of resources has slowed efforts to fully implement key policies related to child labor, including conducting planned activities in a timely manner. (2,109,110)

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 efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Project to Reduce Child Labor and Improve Working Conditions in Agriculture in the Dominican Republic (2017–2021)	\$5 million USDOL-funded project implemented by the ILO to support the efforts of the Government of the Dominican Republic to address child labor and strengthen labor law enforcement in agriculture. (111) In 2018, project implementers continued consultations with the MT to finalize implementation activities. (112) Additional information is available on the USDOL website.
From Protocol to Practice: A Bridge to Global Action on Forced Labor (2015–2019)	USDOL-funded global project implemented by the ILO to support global and national efforts to combat forced labor of adults and children under the 2014 ILO Protocol and supporting Recommendation to C. 29 on Forced Labor. In the Dominican Republic, aims to build the capacity of the MT to enforce laws and regulations related to forced labor and improve data management systems. (113) In 2018, finalized a draft labor inspection needs assessment report; in addition, MT officials, including the Vice Minister and the Child Labor Director, implemented a workshop for 36 local representatives and labor inspectors. (114) Additional information is available on the USDOL website.
Progressing with Solidarity (PROSOLI)†	Government program that provides conditional cash transfers to low-income families to increase children's school attendance and reduce child labor. (3,67,75,115,116) The Vice President's Office reported PROSOLI's School Attendance and School Subsidy Incentives in 2018 supported 238,714 households with school-age children, reducing school dropout rates among project participants by 1.8 percent and children's vulnerability to child labor. In addition, PROSOLI launched the creation of community reports to improve monitoring and evaluation of program's impact. (117,118) Although previous reports indicated PROSOLI required program participants to present identity documentation to access program benefits, PROSOLI provides legal assistance to participants to obtain identity documentation. (21)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Extended School Day Program (Jornada Escolar Extendida)†	Ministry of Education program to extend school hours to a full day (8 a.m. to 4 p.m.) to improve educational achievement and reduce child labor. (2,119,120) As of December 2018, the program covers nearly 68 percent of the nation's school children and is aiming to provide coverage nationwide by the end of 2020. (8,21,60)
Regional Initiatives for the Elimination of Child Labor in Latin America and the Caribbean (2014–2018)	\$2.2 million Government of Spain-funded, 4 year project implemented by the ILO that aims to strengthen public policies and government capacity to combat child labor in 19 countries in Latin America and the Caribbean, including the Dominican Republic. Seeks to develop information systems on the worst forms of child labor and increase youth employment in the Dominican Republic. (121) Research was unable to determine whether activities were undertaken to implement the Regional Initiatives for the Elimination of Child Labor Program during the reporting period.
Empowering and Supporting the Human Rights of Children and Youth (2012–2018)	\$1.2 million Government of Canada-funded, 6 year project that aims to build the capacity of government agencies and civil society organizations responsible for protecting children, especially those of Haitian descent, from sexual and labor exploitation. In 2018, was extended for an additional 3 month period and was allocated an additional \$110,000. (122,123)
Line 700 Hotline‡	Office of the First Lady's free hotline to enable citizens to report cases of the worst forms of child labor. Active in 2018. (81,124,125)
UNICEF Country Program (2018–2022)*	\$15.4 million UNICEF-funded program that supports the government's efforts to improve education, health, social inclusion, and protection for children in the Dominican Republic. Includes projects to increase birth registration rates and build the capacity of relevant government agencies to protect children, especially those without identity documents, from violence, sexual exploitation, and trafficking in persons. (3,67,126)

* Program was launched during the reporting period.

† Program is funded by the Government of the Dominican Republic.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (16,127-130)

In 2018, in an effort to improve the national education system, the government allocated 4 percent of the national GDP in its budget for primary and secondary education for the sixth consecutive year. (2,3,8,22) Although the Dominican Republic has programs that target the worst forms of child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly to address commercial sexual exploitation of children and harmful work in agricultural areas. (2,3,31)

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 the Dominican Republic (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Raise the minimum age for work from 14 years to the age up to which education is compulsory.	2018
Enforcement	Authorize the labor inspectorate to assess penalties.	2015 – 2018
	Publish information on the number of child labor penalties imposed that were collected, and the number of criminal law enforcement investigations, prosecutions, and convictions secured.	2009 – 2018
	Increase the number of labor inspectors in accordance with the ILO's technical advice to provide adequate coverage of the workforce, especially in remote rural areas.	2009 – 2018
	Increase the human and financial resources in order to ensure adequate criminal law enforcement related to child labor.	2009 – 2018
	Increase penalties and improve case tracking so that labor inspectors are able to promptly follow up on violation remediation to improve enforcement of laws prohibiting child labor and discourage the use of child labor by employers.	2012 – 2018
	Establish a system to verify the age of young workers to better protect children without birth certificates or other legal documentation from exploitation.	2012 – 2018

Dominican Republic

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Improve training of inspectors to increase the quality of interviews with employers and workers, gather consistent documentation, conduct timely re-inspection to ensure compliance, and use inspection data to enable prosecution.	2012 – 2018
	Ensure that labor inspectors are able to communicate with Creole-speaking workers, including those who may be underage, in order to adequately conduct inspections for child labor violations.	2012 – 2018
	Ensure that the National Council for Children and Adolescents has sufficient resources and facilities to provide the necessary care for victims of child labor.	2015 – 2018
	Improve coordination and case tracking systems between the Ministry of Labor and the Office of the Attorney General to ensure violations are adequately investigated and prosecuted.	2013 – 2018
Coordination	Ensure that the National Steering Committee to Eliminate Child Labor's Local and Municipal Committees have sufficient resources to effectively coordinate efforts to address child labor.	2013 – 2018
Government Policies	Ensure that appropriate funding exists to effectively implement and coordinate policies related to child labor.	2009 – 2018
	Revise the Ministry of Education's Operations Manual of Public Education Centers to reflect Dominican law and policies that allow children without birth certificates or other identity documents to enroll in primary and secondary education and complete schooling.	2017 – 2018
Social Programs	Increase efforts to issue identity documents to all children to reduce their vulnerability to labor exploitation.	2011 – 2018
	Increase school infrastructure and teacher availability, especially in rural areas, remove supply and school-related fees, and expand efforts to reduce discrimination in schools.	2011 – 2018
	Address the specific educational needs of vulnerable populations, including unaccompanied migrant children, children of parents who have been deported, and undocumented children.	2011 – 2018
	Expand social protection programs, particularly for child victims of commercial sexual exploitation and harmful agricultural work.	2010 – 2018

REFERENCES

- U.S. Department of State. Trafficking in Persons Report- 2017: Dominican Republic. Washington, DC, June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/dominican-republic/>.
- Office of the United Nations High Commissioner for Human Rights. End of mission statement of the UN Special Rapporteur on the sale and sexual exploitation of children, Maud de Boer-Buquichio, on her visit to the Dominican Republic (8–15 May 2017). Santo Domingo, May 15, 2017. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21632&LangID=E>.
- ILO. Application of International Labour Standards-Report of the Committee of Experts on the Application of Conventions and Recommendations. 2017. http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_543646.pdf.
- U.S. Department of State. Trafficking in Persons Report- 2018: Dominican Republic. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/dominican-republic/>.
- Oficina Nacional de Estadística de la República Dominicana (ONE) and Organización Internacional del Trabajo (OIT). Dinámica del trabajo infantil en la República Dominicana: Encuesta Nacional de Hogares de Propósitos Múltiples (ENHOGAR 2009-2010). Santo Domingo, November 2011. <http://www.ilo.org/ipeinfo/product/viewProduct.do?productId=19015>.
- Office of the United Nations High Commissioner for Human Rights. Observaciones finales sobre el sexto informe periódico de la República Dominicana. November 9, 2017: CCPR/C/DOM/CO/6. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CCPR/C/DOM/CO/6&Lang=En.
- Diario Libre. Rescatan a 370 niños del trabajo infantil. December 1, 2014. http://www.diariolibre.com/noticias/2014/12/01/i906821_rescatan-370-ninos-del-trabajo-infantil.html.
- U.S. Embassy- Santo Domingo. Reporting. February 8, 2018.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed January 4, 2018. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta Nacional de Fuerza de Trabajo (ENFT), 2014. Analysis received January 12, 2018. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- USDOL. Interviews with USDOL official. April 7–9, 2014.
- Nunes, Andrea. Life in the Dominican Republic's Sugar Fields: Resistance from the Bateyes. *Journal of Pedagogy, Pluralism and Practice* Volume 8, no. 1 (Fall 2016). *Journal of Pedagogy, Pluralism and Practice*, 2016. <http://digitalcommons.lesley.edu/cgi/viewcontent.cgi?article=1049&context=jppp>.
- Revue, L. Azúcar amargo: el 'apartheid' dominicano que sustenta la industria de la caña. *El Confidencial*, July 28, 2017. https://www.elconfidencial.com/mundo/2017-07-28/bateyes-republica-dominicana-haiti-inmigracion-racismo-negocio-azucarero_1413985/.
- Global Slavery Index. Dominican Republic. <https://www.globalslaveryindex.org/2018/data/country-data/dominican-republic/>.

- 15 Mejía, Odalis. Ministra de Trabajo llama empleadores abstenerse contratar mano obra infantil. *Hoy digital*, February 6, 2014. <http://hoy.com.do/ministra-de-trabajo-llama-empleadores-abstenerse-contratar-mano-obra-infantil/>.
- 16 Government of the Dominican Republic. Written Communication. Submitted in response to U.S. Department of Labor's "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." Washington, DC, January 14, 2016. Source on file.
- 17 De la Cruz, Osvaldo. Persisten prácticas de trabajo infantil en República Dominicana. *elDinero*, September 7, 2015. <http://www.eldinero.com.do/16112/persisten-practicas-de-trabajo-infantil-en-republica-dominicana/>.
- 18 U.S. Embassy- Santo Domingo. Reporting. February 17, 2017.
- 19 Al Momento. El trabajo infantil: amenaza de la sociedad actual. June 20, 2017. <http://almomento.mx/trabajo-infantil-amenaza-la-sociedad-actual/>.
- 20 Government of the Dominican Republic. Informe y Memoria de las Ejecuciones del Periodo Enero-Diciembre del 2017. Ministerio de Trabajo, December 6, 2017. Source on file.
- 21 U.S. Embassy- Santo Domingo. Reporting. February 15, 2019.
- 22 Government of the Dominican Republic. Written Communication. Submitted in response to U.S. Department of Labor's "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." Washington, DC, January 17, 2017. Source on file.
- 23 U.S. Department of State. Country Reports on Human Rights Practices-2016: Dominican Republic. Washington, DC, March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/dominican-republic/>.
- 24 González, Jorge. Trabajo infantil Preocupante realidad que crece sin freno. *El Nacional*, November 20, 2016. <http://elnacional.com.do/trabajo-infantil-preocupante-realidad-que-crece-sin-freno/>.
- 25 Méndez, Federico. Procuraduría saca 41 menores que eran utilizados en las calles. *Diorio Libre*, April 17, 2015. http://www.diariolibre.com/noticias/2015/04/17/i1104511_procuradura-saca-menores-que-eran-utilizados-las-calles.html.
- 26 Rijo, Rafael Alonso. Casa Abierta denuncia el trabajo infantil. *elCaribe*, September 29, 2016. Source on file.
- 27 U.S. Embassy- Santo Domingo. Reporting. February 16, 2016.
- 28 Agencia ONU para los Refugiados. El trabajo infantil: la necesidad de proteger los derechos y deberes de los niños. April, 2016. <https://eacnur.org/blog/trabajo-infantil-la-necesidad-de-proteger-los-derechos-y-deberes-de-los-ninos/>.
- 29 Calcaño, Y. PGR y Unicef presentan campaña contra la explotación sexual infantil. *CDN*, September 27, 2016. <http://cdn.com.do/2016/09/27/pgr-y-unicef-presentan-campana-contrala-explotacion-sexual-infantil/>.
- 30 *Diario Libre*. Niños que llevan y traen drogas. January 24, 2014. http://www.diariolibre.com/sociedad/2014/01/24/i443991_nios-que-llevan-traen-drogas.html.
- 31 Centro Bonó. República Dominicana 2014: la situación de los Derechos Humanos y el desafío de protegerlos para todos y todas. 2014. Source on file.
- 32 U.S. Department of State. Trafficking in Person Report- 2017: Haiti. Washington, DC, June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/haiti/>.
- 33 Inter-American Commission on Human Rights (IACHR). Situation of Human Rights in the Dominican Republic. Washington, DC, December 31, 2015: Country Report. <http://www.oas.org/en/iachr/reports/pdfs/DominicanRepublic-2015.pdf>.
- 34 Government of the Dominican Republic. Resolución Sobre Trabajos Peligrosos e Insalubres para Personas Menores de 18 Años, No. 52/2004. Enacted: August 13, 2004. <http://www.ilo.org/dyn/natlex/docs/SERIAL/69773/68796/F452892919/DOM69773.pdf>.
- 35 U.S. Department of State. Country Reports on Human Rights Practices-2018: Dominican Republic. Washington, DC, March 13, 2018. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/dominican-republic/>.
- 36 Amnesty International. Dominican Republic Annual Report 2016/2017. <https://www.amnesty.org/en/countries/americas/dominican-republic/report-dominican-republic/#endnote-2>.
- 37 Amnesty International. "Without Papers, I am No One": Stateless People in the Dominican Republic. November 19, 2015. <https://www.amnesty.org/en/documents/amr272755/2015/en/>.
- 38 John Hopkins University and OBMICA. FY 14: Gender-based violence among stateless and national populations in the Dominican Republic. November 2017. <https://www.state.gov/j/prm/policyissues/prmfund/276833.htm>.
- 39 UNICEF. The Dominican Republic's invisible children. July 28, 2017. https://www.unicef.org/earlychildhood/domrepublic_98537.html.
- 40 U.S. Embassy- Santo Domingo. Reporting. October 25, 2018.
- 41 Amnesty International. What does it take to solve a statelessness crisis? May 23, 2017. <https://www.amnesty.org/en/latest/news/2017/05/what-does-it-take-to-solve-a-statelessness-crisis/>.
- 42 Government of the Dominican Republic. Ley que establece un régimen especial para personas nacidas en el territorio nacional inscritas irregularmente en el Registro Civil dominicano y sobre naturalización, No. 169-14. Enacted: 2014. <http://www.acnur.org/fileadmin/scripts/doc.php?file=fileadmin/Documentos/BDL/2014/9972>.
- 43 Government of the Dominican Republic. Plan Nacional de Regularización de Extranjeros, No. 327-13. Enacted: August 3, 2004. <https://presidencia.gob.do/themes/custom/presidency/docs/gobplan/gobplan-15/Decreto-327-13-Plan-Nacional-de-Regularizacion-de-Extranjeros.pdf>.
- 44 U.S. Embassy- Santo Domingo. Reporting. October 30, 2017.
- 45 U.S. Embassy- Santo Domingo. Reporting. November 27, 2017.
- 46 Robert F. Kennedy Human Rights Organization. Dreams Deferred: The Struggle of Dominicans of Haitian Descent to get their Nationality Back. May 2017. https://ajws.org/wp-content/uploads/2017/05/RFK_DR_Report-WEB.pdf.
- 47 Georgetown Law Human Rights Institute. Legal Update - Left Behind: How Statelessness in the Dominican Republic Limits Children's Access to Education. Washington, DC, 2014. <https://www.law.georgetown.edu/human-rights-institute/wp-content/uploads/sites/7/2018/03/left-behind.pdf>.
- 48 IOM Haiti. IOM Haiti Border Monitoring Situation Report: Tracking Returnees from the Dominican Republic. September 28, 2017. <https://reliefweb.int/report/haiti/iom-haiti-border-monitoring-situation-report-tracking-returnees-dominican-republic>.
- 49 *El Caribe*. Informa Plan de Regularización de extranjeros terminó con más de 200 mil inscritos. August 27, 2018. <https://www.elcaribe.com.do/2018/08/27/panorama/pais/informa-plan-de-regularizacion-de-extranjeros-termino-con-mas-de-200-mil-inscritos/>.
- 50 *Listin Diario*. Plan de regularización evalúa 90 mil 522 solicitudes de extranjeros. April 28, 2018. <https://listindiario.com/la-republica/2018/04/21/511641/plan-de-regularizacion-evalua-90-mil-522-solicitudes-de-extranjeros>.
- 51 *Listin Diario*. Haitianos acuden en masa a buscar carne; Migración extiende plazo. October 5, 2018. <https://listindiario.com/la-republica/2018/10/05/536088/haitianos-acuden-en-masa-a-buscar-carne-migracion-extiende-plazo>.
- 52 Inter-American Commission on Human Rights. IACHR Installs Working Group on Implementation of Human Rights Policies in the Dominican Republic. April 3, 2018. http://www.oas.org/en/iachr/media_center/PReleases/2018/075.asp.

Dominican Republic

MODERATE ADVANCEMENT

- 53 Inter-American Commission on Human Rights. Annual Report 2017: Chapter V Follow-Up on the Recommendations Issued by the IACHR Regarding the Situation of Human Rights in the Dominican Republic. 2018. <http://www.oas.org/en/iachr/docs/annual/2017/docs/LA2017cap.5RD-en.pdf>.
- 54 Government of the Dominican Republic. Código para el Sistema de Protección y los Derechos Fundamentales de los Niños, Niñas, y Adolescentes, No. 136-03. Enacted: 2003. http://www.oas.org/dil/esp/LEY_136-03_-_Codigo_para_el_Sistema_de_Proteccion_y_los_Derechos_Fundamentales_de_Niños_Niñas_y_Adolescentes_Republica_Dominicana.pdf.
- 55 Government of the Dominican Republic. Ley Orgánica de Educación, No. 66-97. Enacted: April 9, 1997. http://www.oei.es/quipu/dominicana/LeyEdu66_97.pdf.
- 56 Government of the Dominican Republic. Constitución de la República Dominicana. Enacted: June 13, 2015. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=101183&p_country=DOM.
- 57 Ministerio de Educación. Circular No. 18 de fecha 27 de julio de 2011. July 2011. Source on file.
- 58 Ministry of Education official. Interview with USDOL official. March 29, 2019.
- 59 U.S. Embassy- Santo Domingo. Reporting. February 26, 2018.
- 60 U.S. Embassy- Santo Domingo. Reporting. December 27, 2017.
- 61 Government of the Dominican Republic. Ministry of Education Strategic Plan (2017–2020). 2017. <http://www.ministeriodeeducacion.gob.do/transparencia/media/plan-estrategico-de-la-institucion/planificacion-estrategica/plan-estrategico-2017-2020-ministerio-de-educacion-de-la-republica-dominicanapdf.pdf>.
- 62 Government of the Dominican Republic, Ministerio de Educación. Manual Operativo de Centro Educativo Público. 2013. Source on file.
- 63 Georgetown Law Human Rights Institute. Left Behind: How Statelessness in the Dominican Republic Limits Children's Access to Education. Washington, DC, 2014. Source on file.
- 64 U.S. Embassy- Santo Domingo official. Email communication to USDOL official. June 28, 2018.
- 65 Government of the Dominican Republic- Ministry of Education. Certificación de Bachiller (del Año 1994 en Adelante) (Pruebas Nacionales). 2015. <http://servicios.dominicana.gob.do/servicio.php?id=97>.
- 66 UNICEF. Palabras de María Jesús Conde Zabala, representante de UNICEF en República Dominicana, durante la presentación del Proyecto de Seguridad Humana en Bateyes Barahona. May 31, 2016. [https://www.unicef.org/republicadominicana/Palabras_de_Maria_Jesus_Conde_Zabala_Proyecto_SH_en_Barahona_\(1\).pdf](https://www.unicef.org/republicadominicana/Palabras_de_Maria_Jesus_Conde_Zabala_Proyecto_SH_en_Barahona_(1).pdf).
- 67 UNICEF. Dominican Republic- Country programme document (2018–2022). August 9, 2017: E/ICEF/2017/P/L.17. https://www.unicef.org/about/execboard/files/2017-PL17-Dominican_Republic-CPD-ODS-EN.pdf.
- 68 The Borgen Project. Education in the Dominican Republic. January 11, 2017. <https://borgenproject.org/education-in-the-dominican-republic/>.
- 69 Government of the Dominican Republic. Código de Trabajo de la República Dominicana, No. 16-92. Enacted: 1992. http://poderjudicial.gob.do/documentos/PDF/leyes/LEY_16_92.pdf.
- 70 Government of the Dominican Republic. Ley contra el Tráfico Ilícito de Migrantes y Trata de Personas, No. 137-03. Enacted: August 2003. https://www.unicef.org/republicadominicana/Ley_137-03_trafico_personas_GO_10233.pdf.
- 71 Government of the Dominican Republic. Constitución de la República Dominicana, proclamada el 13 de junio de 2015, Publicada en la Gaceta Oficial No. 10805. Enacted: June 13, 2015. <http://dominicana.gob.do/index.php/recursos/2014-12-16-21-02-56/category/3-constitucion-y-leyes-rd/download=22:constitucion-de-la-republica-2010>.
- 72 Government of the Dominican Republic. Ley sobre Crímenes y Delitos de Alta Tecnología, No. 53-07. Enacted: April 23, 2007. http://www.oas.org/juridico/PDFs/repdom_ley5307.pdf.
- 73 Government of the Dominican Republic. Ley sobre Drogas y Sustancias Controladas de la República Dominicana, No. 50-88. Enacted: May 30, 1988. <https://www.dncd.gob.do/images/docs/03-Ley-50-88-sobre-Drogas-y-Sustancias-Controladas.pdf>.
- 74 Government of the Dominican Republic. Ley Orgánica de las Fuerzas Armadas de la República Dominicana, No. 139-13, Gaceta Oficial No. 10728 del 19 de septiembre de 2013. Enacted: September 13, 2013. http://www.oas.org/juridico/spanish/mesicic2_repdom_sc_anexo_4_sp.pdf.
- 75 UCW. Entendiendo el trabajo infantil y el empleo juvenil en la República Dominicana. Rome, 2014. http://www.ucw-project.org/attachment/Informe_trabajo_infantil_empleo_juvenil_República_Dominicana20141020_111959.pdf.
- 76 Government of the Dominican Republic, Ministerio de Trabajo. Preguntas frecuentes sobre trabajo infantil. Source on file.
- 77 Government of the Dominican Republic. Ministry of Labor Strategic Plan (2017–2020). 2017. http://mt.gob.do/transparencia/images/docs/plan_estrategico/Plan-Estrategico.2017-2020.pdf
- 78 Government of the Dominican Republic. Written Communication. Submitted in response to U.S. Department of Labor's "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." Washington, DC, January 29, 2015. Source on file.
- 79 U.S. Embassy- Santo Domingo. Reporting. March 14, 2017.
- 80 U.S. Embassy- Santo Domingo. Reporting. November 26, 2018.
- 81 Government of the Dominican Republic. Written Communication. Submitted in response to U.S. Department of Labor's "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." Washington, DC, February 20, 2014. Source on file.
- 82 ILO. La región llamó a proteger a niños y niñas del trabajo infantil en los conflictos y las catástrofes. June 20, 2017. http://www.ilo.org/sanjose/sala-de-prensa/WCMS_559191/lang--es/index.htm.
- 83 Ministry of Labor official. Interview with USDOL official. September 17, 2019.
- 84 Ministry of Labor official. Interview with USDOL official. March 27, 2019.
- 85 Government of the Dominican Republic. Informe sobre los avances en la Inspección del Trabajo de la República Dominicana. Ministerio de Trabajo, April 16, 2019. Source on file.
- 86 Government of the Dominican Republic. Written Communication. Submitted in response U.S. Department of Labor's "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." Washington, DC. January 11, 2019. Source on file.
- 87 CIA. The World Factbook. Accessed March 18, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 88 ILO, Committee on Employment and Social Policy. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy, November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/reim/gb/docs/gb297/pdf/esp-3.pdf>.
- 89 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.

- 90 Government of the Dominican Republic, Ministerio de Trabajo. Protocolo de Inspección para la Agricultura: República Dominicana. March 2011. Source on file.
- 91 Government of the Dominican Republic, Ministerio de Trabajo. Información sobre Inspecciones Laborales en el Sector de Azúcar. Santo Domingo, 2016. Source on file.
- 92 U.S. Embassy- Santo Domingo. Reporting. February 13, 2015.
- 93 U.S. Embassy official. Email communication to USDOL official. June 21, 2019.
- 94 U.S. Embassy- Santo Domingo. Reporting. April 18, 2019.
- 95 U.S. Embassy- Santo Domingo. Reporting. February 19, 2019.
- 96 National Migration Institute. INM RD imparte diplomado “Trata de mujeres, niños, niñas y adolescentes: Estrategias de protección y asistencia a sobrevivientes”. Accessed March 13, 2019. <http://inm.gob.do/index.php/noticias/item/440-inm-rd-imparte-diplomado-trata-de-mujeres-ninos-ninas-y-adolescentes-estrategias-de-proteccion-y-asistencia-a-sobrevivientes>.
- 97 Government of the Dominican Republic. Decreto No. 144-97 (Que crea e integra el Comité Directivo Nacional de lucha contra el Trabajo Infantil, adscrito a la Secretaría de Estado de Trabajo). http://ojd.org.do/Normativas/LABORAL/Decretos/Decreto_144-97.pdf.
- 98 Government of the Dominican Republic. Plan Nacional de Acción contra la Trata de Personas y el Tráfico Ilícito de Migrantes 2017–2020. 2019. Source on file.
- 99 UNICEF. República Dominicana toma acciones para prevenir explotación sexual de niños, niñas y adolescentes. December 18, 2018. https://www.unicef.org/repUBLICADOMINICANA/media_39252.html.
- 100 UNICEF. UNICEF Annual Report 2017: Dominican Republic September 2018. https://www.unicef.org/about/annualreport/files/Dominican_Republic_2017_COAR.pdf.
- 101 Government of the Dominican Republic. Plan Estratégico Nacional para la erradicación de las peores formas de trabajo infantil en República Dominicana 2006–2016. Santo Domingo, August 2006. <http://www.ilo.org/ippecinfo/product/viewProduct.do;jsessionid=a9f56e124d1417110a1b20e28d2e66468ee235e9a0ed0261ca88ed40fc1bec87.e3aTbhulbNmSe34MchaRahaMaxb0?productId=6905>.
- 102 Government of the Dominican Republic. Hoja de Ruta para hacer de República Dominicana un país libre de trabajo infantil y sus peores formas: Documento Estratégico. Santo Domingo: ILO-IPEC. <http://www.ilo.org/ippecinfo/product/download.do?type=document&id=12092>.
- 103 Diario Libre. Lanza plan contra trata y tráfico ilícito de personas. May 23, 2018. <https://www.diariolibre.com/actualidad/politica/lanzan-plan-contra-trata-y-trafico-ilicito-de-personas-HA9839494>.
- 104 Government of the Dominican Republic. Pacto Nacional para la Reforma Educativa en la República Dominicana (2014–2030). April 1, 2014. <https://pactoeducativo.do/wp-content/uploads/2013/09/Pacto-Nacional-para-la-Reforma-Educativa-en-la-Republica-Dominicana.pdf>.
- 105 The World Bank. Support to the National Education Pact Project- Implementation Status & Results Report. December 20, 2016. <http://documents.worldbank.org/curated/en/224381482273485535/pdf/ISR-Disclosable-P146831-12-20-2016-1482273472627.pdf>.
- 106 World Bank. Support to the National Education Pact Project- Combined Project Information Documents/Integrated Safeguards Datasheet. September 11, 2018: (P167815). <http://documents.worldbank.org/curated/en/464991537314869439/pdf/Project-Information-Documents-Integrated-Safeguards-Datasheet-Additional-Financing-Support-to-the-National-Education-Pact-Project-P167815.pdf>.
- 107 Ministerio de Economía. Ley 1-12 Estrategia Nacional de Desarrollo 2030 Santo Domingo. 2012. <http://economia.gob.do/mepyd/wp-content/uploads/archivos/end/marco-legal/ley-estrategia-nacional-de-desarrollo.pdf>.
- 108 Listin Diario. República Dominicana está bien posicionada para enfrentar el reto de la crisis de aprendizaje mundial, según Banco Mundial. April 3, 2018. <https://listindiario.com/economia/2018/04/03/508953/repUBLICA-dominicana-esta-bien-posicionada-para-enfrentar-el-reto-de-la-crisis-de-aprendizaje-mundial-segun-banco-mundial>.
- 109 U.S. Embassy- Santo Domingo. Reporting. February 19, 2014.
- 110 U.S. Embassy official. Email communication to USDOL official. June 29, 2016.
- 111 USDOL. Project Summary- Project to Reduce Child Labor and Working Conditions in Agriculture in the Dominican Republic. 2017. <https://www.dol.gov/agencies/ilab/project-reduce-child-labor-and-working-conditions-agriculture-dominican-republic>.
- 112 ILO. Project to Reduce Child Labor and Working Conditions in Agriculture in the Dominican Republic. April 2019: Technical Progress Report. Source on file.
- 113 USDOL. Project Summary- From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project). 2017. https://www.dol.gov/ilab/projects/summaries/GlobalBridge_FY15.pdf.
- 114 ILO. From Protocol to Practice: A Bridge to Global Action on Force Labor (The Bridge Project) October 2018: Technical Progress Report. Source on File.
- 115 Vicepresidencia de la República Dominicana - Progresando con Solidaridad. OIT afirma Progresando con Solidaridad reduce trabajo infantil. June 11, 2015. <http://progresandoconsolidaridad.gob.do/noticias/oit-afirma-progresando-con-solidaridad-reduce-trabajo-infantil/>.
- 116 Vicepresidencia de la República Dominicana. Vicepresidenta celebra logros Prosoli con cientos de familias participantes. December 10, 2017. <http://progresandoconsolidaridad.gob.do/noticias/vicepresidenta-celebra-logros-prosoli-cientos-familias-participantes/>.
- 117 Vicepresidencia de la República Dominicana. Reportes Comunitarios de Vicepresidencia mejoran calidad de servicios a familias Prosoli. August 28, 2018. <https://progresandoconsolidaridad.gob.do/noticias/reportes-comunitarios-de-vicepresidencia-mejoran-calidad-de-servicios-a-familias-prosoli/>.
- 118 Vicepresidencia de la República Dominicana. Iniciativas de la Vicepresidencia impactan a miles de familias. August 21, 2018. <https://progresandoconsolidaridad.gob.do/noticias/iniciativas-de-la-vicepresidencia-impactan-a-miles-de-familias/>.
- 119 Ministerio de la Presidencia. Puerto Plata recibe 75 nuevas aulas para Tanda Extendida. March 26, 2014. <https://presidencia.gob.do/noticias/puerto-plata-recibe-75-nuevas-aulas-para-tanda-extendida>.
- 120 Listin Diario. Tanda extendida ha disminuido tasa de abandono estudiantil. November 28, 2016. <http://www.listindiario.com/la-republica/2016/11/28/444795/tanda-extendida-ha-disminuido-tasa-de-abandono-estudiantil>.
- 121 ILO-IPEC Geneva official. Email communication to USDOL official. February 10, 2018.
- 122 Government of Canada. Project Profile - Empowering and Supporting the Human Rights of Children and Youth. 2016. <http://w05.international.gc.ca/projectbrowser-banqueprojets/project-projet/details/S065654001>.
- 123 Government of Canada. Project profile — Empowering and Supporting the Human Rights of Children and Youth. Accessed: April 29, 2019. <https://w05.international.gc.ca/projectbrowser-banqueprojets/project-projet/details/S065654001>.
- 124 El Nacional. OPTIC se une a la campaña “No hay excusas” de UNICEF. September 29, 2016. <http://elnacional.com.do/optic-se-une-a-la-campaña-no-hay-excusas-de-unicef/>.

Dominican Republic

MODERATE ADVANCEMENT

- 125 Portal Oficial del Estado Dominicano. Línea 700. Website, Accessed May 21, 2019.
<http://dominicana.gob.do/index.php/servicios-en-linea/centro-de-atencion-ciudadana-cac/ccg/linea-700>.
- 126 UNICEF. UNICEF Executive Board session closes emphasizing strong partnerships for every child. September 18, 2017.
https://www.unicef.org/about/execboard/index_100849.html?p=printme.
- 127 Ministerio de Economía Planificación y Desarrollo. Llega misión de Chile para evaluar empleo juvenil. September 3, 2014.
<http://economia.gob.do/llega-mision-chile-para-evaluar-empleo-juvenil/>.
- 128 Government of the Dominican Republic, Ministerio de Trabajo. Ministerio de Trabajo lanza campaña de sensibilización sobre trabajo infantil. Accessed January 2, 2015.
<https://www.mt.gob.do/index.php/noticias/item/ministerio-de-trabajo-lanza-campana-de-sensibilizacion-sobre-trabajo-infantil>.
- 129 Vicepresidencia de la República Dominicana. Vicepresidenta coordina proyecto para reducir delincuencia. October 13, 2016.
<http://vicepresidencia.gob.do/vicerdo/2016/10/13/vicepresidenta-coordina-proyecto-reducir-delincuencia/>.
- 130 ILO. Rol de la OIT en la mejora de las condiciones laborales y de la productividad de la Cadena de Valor del Banano en la República Dominicana. 2018. Source on file.

In 2018, Ecuador made a significant advancement in efforts to eliminate the worst forms of child labor. The National Assembly's Workers' Rights Committee presented legislation to reform Ecuador's Labor Code to strengthen provisions related to the eradication of child labor. The National Assembly also passed the Law to Prevent and Eradicate Violence against Women, which includes protections for girls and women who become victims of sexual exploitation. In addition, the Ministry of Economic and Social Inclusion signed agreements to strengthen child labor prevention

efforts with local governments. The Ministry of the Interior also began drafting a new National Plan to Combat Trafficking in Persons and the Ministry of Labor began drafting a 2018–2021 update to the current National Plan to Eradicate Child Labor. However, children in Ecuador engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. The labor inspectorate continues to lack sufficient resources.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ecuador engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1,2) Table 1 provides key indicators on children's work and education in Ecuador.

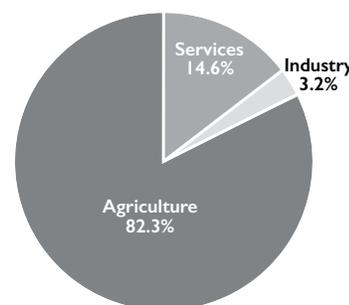
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.9 (168,530)
Attending School (%)	5 to 14	97.3
Combining Work and School (%)	7 to 14	5.6
Primary Completion Rate (%)		104.8

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (3)

Source for all other data: International Labor Organization's Analysis of Statistics from Encuesta Nacional de Empleo, Desempleo y Subempleo, 2016. (4)

Figure 1. Working Children by Sector, Ages 5-14



Although the government conducted two surveys in 2017 that included some information on child labor, the government has not conducted a nationwide child labor survey since 2012. Both government and civil society agree that a lack of updated statistics hampers efforts in eradicating child labor. (2)

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 bananas,† palm oil,† and flowers,† including the use of chemical products and machetes (2,5-7) Fishing† (2,5,6)
Industry	Gold mining† and small-scale mining† (2) Production of bricks† (2,8) Construction,† including loading construction materials, mixing materials to make concrete, and brickwork (2,6,8)

SIGNIFICANT ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Domestic work† (2,5,9)
	Street work, including begging, shoe shining, selling newspapers, and vending (2,5,10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,10-12)
	Use in illicit activities, including drug trafficking and robbery (2,12,13)
	Recruitment of children by Colombian non-state armed groups for use in armed conflict (2,12,14)
	Use in the production of pornography (2,12)
	Forced labor in banana and palm plantations, floriculture, fishing, mining; and in domestic work, street vending, and begging, each sometimes as a result of human trafficking (2,12)

† 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

Civil society and government sources reported incidences of Peruvian adolescents being recruited into forced labor under false promises of employment in illegal mines in Ecuador. (2,14,15) Migrant and refugee girls from Colombia, Peru, and Venezuela are particularly vulnerable to labor trafficking in domestic servitude and forced begging. (2,8,12) Indigenous children between the ages of 6 and 10 from the highlands are trafficked for forced begging in Guayaquil, Quito, and Rumiñahui. (7,16) Children of Venezuelan and Colombian migrants and refugees are also vulnerable to exploitative labor practices in some parts of the fishing sector in the coastal region and artisanal mining in southern Ecuador and in the northern province of Imbabura. (2,10)

Migrant and refugee children from other Latin American countries, girls from poor families, and indigenous and Afro-Ecuadorian girls are used in commercial sexual exploitation. (2,12) Commercial sexual exploitation in Ecuador also occurs near illegal mining sites. (2,16,17) Venezuelan, Colombian, and Peruvian girls are trafficked for commercial sexual exploitation in Ecuador. (10,12) Sex trafficking networks also recruit children from schools, and, increasingly, through social media platforms which encourage children to recruit their friends and classmates. (12,14) On Ecuador’s northern border, children are forcibly recruited to engage in drug trafficking and robbery. (12)

Despite education being free in Ecuador, children face barriers to accessing education, including having to pay for uniforms and books, lack of space and teachers, and lack of transportation for children who must attend schools far from their homes. (2,18) The lack of schools in some areas specifically affects indigenous and refugee children, who must travel long distances to attend school. (2) Many indigenous children abandon school early, both in rural and urban areas. (6,11) Specifically, almost half of all indigenous children in rural areas, and 37 to 40 percent of those in urban areas, do not attend secondary school, which can make them more vulnerable to child labor. (19) International humanitarian organizations and local government officials reported that, in practice, schools sometimes denied children of refugees and migrants access to education because they did not have refugee status and lacked identity and academic documents. (2) International organization representatives said these cases were likely due to Ministry of Education administrative staff error about required documentation and differences between the Venezuelan and Ecuadorian academic calendars. (2,20) According to the Ministry of Education, of the approximately 240,000 Venezuelans residing in Ecuador as of November 2018, 37,000 are below the age of 17, but only 12,514 Venezuelan children and adolescents had registered for school. (2)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Ecuador 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	✓

Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 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's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 46 of the Constitution; Article 82 of the Childhood and Adolescence Code (21,22)
Minimum Age for Hazardous Work	Yes	18	Article 87 of the Childhood and Adolescence Code (22)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 8 of Resolution No.016 of 2008; Article 5 of Ministerial Accord MDT-2015-0131 (23,24)
Prohibition of Forced Labor	Yes		Articles 82, 91, 105, and 213 of the Integral Penal Code (25)
Prohibition of Child Trafficking	Yes		Articles 47 and 91 of the Integral Penal Code; Article 117 of the Organic Law on Human Mobility (25,26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 91 and 100-104 of the Integral Penal Code (25)
Prohibition of Using Children in Illicit Activities	Yes		Articles 47, 219, and 220 of the Integral Penal Code (25)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 57 of the Childhood and Adolescence Code; Article 161 of the Constitution (21,22)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 127 of the Penal Code; Article 57 of the Childhood and Adolescence Code; Article 161 of the Constitution (21,22,25)
Compulsory Education Age	Yes	15	Article 38 of the Organic Intercultural Education Law (27)
Free Public Education	Yes		Article 4 of the Organic Intercultural Education Law; Chapter 5, Article 28 of the Constitution (21,27)

* No conscription (21)

In May 2018, the National Assembly's Workers' Rights Committee presented legislation to reform Ecuador's labor code to strengthen provisions on the eradication of child labor; labor protections of adolescents ages 15 to 18, and the fight against the worst forms of child labor, including sex and labor trafficking. (2,12) The reform proposes to make it easier for labor inspectors to conduct inspections for the purposes of identifying child labor; establishes a registry of employers who hire working adolescents; and supports an initiative to strengthen local governments' awareness and prevention of child labor. (2,12) In January 2018, the National Assembly passed the Law to Prevent and Eradicate Violence against Women, which includes the protection of girls and women against human trafficking for sexual exploitation. (2,28) The law is intended to coordinate the efforts of local governments, the Attorney General's Office, and other government entities to develop action plans, programs, and policies. (2,28)

Ecuador

SIGNIFICANT ADVANCEMENT

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 Industrial Relations (MOL) 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 Industrial Relations (MOL)	Monitors child labor; conducts labor inspections at worksites, and enforces child labor laws in the formal sector; administering sanctions and collecting fines from companies found using child labor. Also provides technical assistance to local governments on child labor. (2) Using the Unified System of Registration of Child Labor (SURT), collects information on child laborers and refers children to appropriate government services. (2)
Ministry of Economic and Social Inclusion (MIES), Office of Special Protection to Vulnerable Population	Provides remediation services to child laborers and their families. Assists victims of child labor found in the informal sector. (2) Through its Office of Special Protection, maintains a national anti-child-labor program involving coordination with civil society organizations and local governments. (2)
Attorney General's Office (AGO)	Enforces criminal laws against child labor, hazardous child labor, commercial sexual exploitation, and human trafficking. (2,29,30) The AGO's Specialized Victim Witness Protection Program (SPAVT) provides immediate support and shelter to victims and witnesses willing to press charges and testify against their abusers and coordinates referrals for further assistance with other government agencies. (2) During the reporting period, SPAVT provided services to 18 human trafficking victims. (12)
Ministry of Interior (MOI)	Oversees and evaluates all police actions, including the National Police Unit for Crimes against Children and Adolescents (DINAPEN). (2,15) DINAPEN investigates all crimes against children, including abuse, sexual exploitation, sex tourism, smuggling, kidnapping, exploitative child labor, and forced labor. (2) DINAPEN's Anti-Trafficking Unit also investigates child trafficking cases. (2)
Office of the Prosecutor	Tries cases related to the worst forms of child labor. (2)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Ecuador took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$1,458,000 (14)	\$265,398 (2)
Number of Labor Inspectors	150 (14)	249 (2)
Inspectorate Authorized to Assess Penalties	Yes (14)	Yes (2)
Initial Training for New Labor Inspectors	Yes (14)	Yes (2)
Training on New Laws Related to Child Labor	Yes (14)	Yes (2)
Refresher Courses Provided	Yes (14)	Yes (2)
Number of Labor Inspections Conducted	Unknown	15,605 (2)
Number Conducted at Worksite	Unknown	15,605 (2)
Number of Child Labor Violations Found	Unknown	72 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (14)	23 (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (14)	107(2)
Routine Inspections Conducted	Yes (14)	Yes (2)
Routine Inspections Targeted	Yes (14)	Yes (2)
Unannounced Inspections Permitted	Yes (14)	Yes (2)
Unannounced Inspections Conducted	Yes (14)	Yes (2)
Complaint Mechanism Exists	Yes (14)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (2)

In 2018, the Ombudsman's Office called on the MOL to conduct labor inspections in banana-producing areas, particularly in the coastal provinces of Los Rios, El Oro, and Guayas, to monitor the safety of affected families. (2) During the reporting period, the labor inspectorate's funding was drastically reduced. The MOL did not provide a specific explanation for the difference, but in general, the Ecuadorian government suffered from budgetary constraints in 2018 due to economic pressures. (2,20) The MOL reported that the labor inspectorate was understaffed and lacked the necessary resources, such as transportation and equipment, to fulfill its mandate. (2) The number of labor inspectors is likely insufficient for the size of Ecuador's workforce, which includes over 8 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Ecuador would employ about 534 labor inspectors. (2,31,32) MOL and ILO officials reported that inspectors' coverage of the agricultural sector is insufficient, even though most children work in this area. (2) According to the MOL, Ecuador's labor inspectors focus only on formal sector employment, despite large numbers of Ecuadorians and migrants working in the informal sector. (12) Although Ecuadorian laws and regulations governing child labor are comprehensive, those regarding hazardous work are not enforced equally in rural areas and family-run businesses. (2,33)

The absence of appropriate sanctions against employers may also hinder efficient labor law enforcement. (14) Inspectors do not have sufficient knowledge of child labor laws and lack training on identifying trafficking in persons (TIP) victims. (2,12,14)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Ecuador took actions to combat child labor (Table 7). However, gaps exist within the operations of the National Police Unit for Crimes against Children and Adolescents (DINAPEN) that may hinder adequate criminal law enforcement, including its referral mechanism.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (33)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (14)	Yes (2)
Refresher Courses Provided	Yes (34)	Yes (2)
Number of Investigations	80 (14)	5 (2)
Number of Violations Found	Unknown	2 (2)
Number of Prosecutions Initiated	8 (14)	5 (2)
Number of Convictions	1 (14)	2 (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (14)	Yes (2)

During the reporting period, criminal investigators received training on cases linked to cybercrime, cryptocurrency, child pornography, and the use of Facebook for commercial sexual exploitation of children. (2) In 2018, the Anti-Trafficking Unit conducted 13 anti-trafficking police operations, arresting 18 traffickers, and rescuing 55 victims. Of these operations, six resulted in investigations of sexual exploitation, one for labor trafficking, one for the purpose of forced prostitution, and three for the purposes of child pornography. (12) The Government of Ecuador reported two convictions for trafficking in persons of children and both defendants were sentenced to 16 years in prison. (20) Civil society reports that the Anti-Trafficking Unit and DINAPEN lack resources to adequately investigate trafficking in persons cases. (12)

In November, the Specialized Victim Witness Protection Program (SPAVT) inaugurated a new shelter for female adolescent TIP victims in Quito, which, once opened to victims, will have 21 spots and provide psychological services, education, and other social services. (2) The MOL, Ministry of Interior (MOI), Ministry of Economic and Social Inclusion (MIES), and the Ministry of Tourism all supported trainings for public officials, which addressed trafficking in persons and promoted anti-TIP public awareness campaigns. (12) However, shelters serve only

Ecuador

SIGNIFICANT ADVANCEMENT

girls who have been victims of sex trafficking. There are no shelters for boys or girls who have been victims of trafficking unrelated to sex. (12,13,34) Although the MIES will generally assign child victims to shelters depending on space availability, the anti-TIP unit and MIES officials cite a lack of shelters in many provinces as a primary constraint in victim assistance. (2,12,20) Although the introduction in 2016 of the Unified System of Registration of Child Labor (SURTl) has improved the referral mechanisms for victims removed from the worst forms of child labor, the process is ad hoc and some government officials find it difficult to use, sometimes keeping their own records of child labor cases instead of using the system. Of the information collected, the government does not publish it. (2,14) MOL technical staff is exploring ways to improve the system. (2)

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 the provision of social services for victims of the worst forms of child labor.

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

Coordinating Body	Role & Description
Inter-institutional Committee for the Eradication of Child Labor	Coordinates government efforts to combat child labor. (2) Includes participation from MOL, DINAPEN, AGO, and MIES. (2,15)
Inter-Agency Committee against Trafficking in Persons	Coordinates government efforts to combat human trafficking, including child trafficking. Established as part of the National Plan to Combat Human Trafficking, Sexual and Labor Exploitation, and Other Forms of Exploitation. (30) MOI continued to chair this committee as the main coordinating body of the Government of Ecuador's anti-trafficking efforts in 2018. (12)
Technical Secretariat for the Lifetime Plan	Convenes government ministries to discuss issues, including child labor. (35) Remained the Government of Ecuador's signature social program in 2018. (2)
National Council for Intergenerational Equity (CNII)	Coordinates inter-agency efforts to protect vulnerable populations, including children. (35) The Council was active during the reporting period and is requesting MOL allow the Council to lead the Inter-Agency Committee to Eradicate Child Labor. (36)
Local Autonomous Governments	Participate in coordinating mechanisms to combat child labor and implement the guidelines provided by CNII. (35) Responsible for ensuring the correct application of norms related to child labor. (35)
Inter-Agency Table for the Eradication of Child Labor (Mesa Interinstitucional de Erradicación del Trabajo Infantil)	Coordinates regional efforts to address child labor. (37) Participants include MIES; regional councils of Childhood and Adolescence; Ministries of Education, Labor, and Interior; DINAPEN; and AGO. (20,37) Although the national roundtable was not active in 2018, provincial tables continued to coordinate work and reported to central government agencies when joint coordination was necessary in efforts to eradicate child labor. (36)

Weak coordination between ministries providing social services has caused difficulties in ensuring that children rescued from working in the informal sector receive adequate social assistance. (38)

In June 2018, in recognition of World Day against Child Labor, MIES signed agreements to strengthen child labor prevention efforts with local governments, including with multiple cities in Chimborazo, Napo, and Tungurahua provinces. (2) In Manta, MIES signed an agreement with local government and chamber of commerce officials to launch a seal certifying that goods made in Manta were not produced with child labor. MIES reported that their efforts reached 10,000 children and adolescents in 2018. (2) MOI drafted the Inter-Institutional Protocol for the Comprehensive Care and Protection of TIP victims (*Protocolo Interinstitucional para la Atención y Protección Integral a Víctimas de Trata de Personas*), which aims to strengthen inter-agency coordination of efforts related to TIP victims. (2) In order to improve and better coordinate government response to the Venezuelan migration crisis, the government established a Human Mobility Board of government ministries, local governments, international organizations, and civil society organizations and a TIP sub-group to organize anti-TIP efforts concerning Venezuelans. (12) In September 2018, the governments of Ecuador and Colombia held a binational workshop for government officials focused on TIP victim identification, differentiating between TIP and other crimes, and methods for taking victim statements. (12)

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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan to Eradicate Child Labor	Establishes strategy to eradicate child labor in Ecuador by 2021. (2) During the reporting period, MOL updated the Plan, which is currently going through government approval. (2) As part of the plan, the government conducted trainings, workshops, public awareness campaigns, and partnerships with the private sector in 2018. (2)
Lifetime Plan (<i>Plan Toda Una Vida</i>) (2017–2021)	Aims to support vulnerable populations from birth to advanced age through a series of social welfare programs. Aims to reduce child labor of children ages 5 to 14 to 2.7 percent by 2021. (14,39) Launched on November 28, 2017. (14) Led by the Technical Secretariat for the Lifetime Plan. (40) In 2018, and in accordance with the plan, the Government of Ecuador conducted social welfare activities including combating child malnutrition, expanding early childhood education programs, sponsoring conditional cash transfer programs, and increasing job training and higher education opportunities for at-risk youth. (20)
National Plan to Combat Human Trafficking, Sexual and Labor Exploitation, and Other Forms of Exploitation	Establishes processes to prevent, investigate, and impose legal sanctions against human trafficking, commercial sexual exploitation, and other forms of abuse. Enacted by decree in 2006 to protect and restore the rights of victims. (41-43) In 2018, the government held activities to combat and prevent trafficking in persons including inter-agency coordination, such as trainings, workshops, public awareness campaigns, and partnerships with the private sector. (2) In addition, the government began drafting a new plan which is supported by an IOM technical assistance grant. (2,20)

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 efforts to address all worst forms of child labor.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Project to Eradicate Child Labor (PETI)†	MOL project under the National Plan for Good Living to prevent hazardous child labor in agriculture, manufacturing, construction, and mining. (6,44) In 2018, the project was under revision for the 2018–2021 period. (45) Between January and June of 2018, PETI conducted anti-child labor training to 166 people, assisted 184 local government officials with the development and implementation of public policies on eradicating child labor; and conducted 90 consultations on child labor with the private sector. (2,46)
Business Network for a Child Labor Free Ecuador	UN initiative that seeks to gain commitment from participating industries to promote the prevention and elimination of child labor in their supply chains, trains businesses on child labor prevention, and creates employment opportunities for the parents of children engaged in child labor. (47,48) Through the network, MOL provided trainings on anti-child labor practices to companies nationwide during the reporting period. (2)
National Program to Combat Child Begging†	Seeks to raise awareness about child begging; aims to facilitate social services for children begging in the streets. MIES continued to raise awareness in 2018 through its national campaign on child begging Give Dignity (<i>Da Dignidad</i>). (2)
USDOL-Funded Initiatives	Reducing Child Labor and Forced Labor in Palm Oil Supply Chains (2018–2022),* \$6 million project to improve the implementation of social compliance systems that promote acceptable conditions of work and reduction of child labor and forced labor in palm oil supply chains; Building Effective Policies Against Child Labor in Ecuador and Panama (2012–2018), \$4.3 million project implemented by ILO in collaboration with <i>Casa Esperanza, Comunidades y Desarrollo en Ecuador (COMUNIDEC)</i> , and <i>Fundación Esquel</i> . (49,50) EducaFuturo Project (2012–2018), \$8.1 million project implemented by Partners of the Americas, in collaboration with <i>Expoflores, COMUNIDEC</i> , and <i>Fundación de las Americas</i> . Additional information is available on the USDOL website.

SIGNIFICANT ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Prevention of Sexual Exploitation of Children and Adolescents	Ministry of Tourism program that seeks to prevent commercial sexual exploitation by creating regulations and awareness campaigns in the tourism sector. In 2018, the Ministry continued to provide online training to hotel owners and employees on identifying, responding to, and reporting suspected cases of child sex tourism and trafficking in persons. (2) It also conducted public awareness workshops and participated in the XI Meeting of the Regional Action Group of the Americas, which seeks to address and share strategies in prevention. (2)
Young Workers' Symphonic Orchestra (<i>Orquesta Sinfónica de los Trabajadores Jóvenes Eloy Alfaro</i>)†	Orchestra that performs to raise awareness of child labor. (38) Established by MOL in 2016, comprises more than 200 former child laborers from Quito and Cuenca who take daily music lessons funded by MOL.
Grants for Human Development	Conditional cash transfer program run by MIES that supplements household income for vulnerable families. (2) In October 2018, President Moreno announced that the administration assigned \$730 million to the grant. The Moreno Administration planned to expand coverage to one million cash transfers by the end of 2018. (20)
Mission Tenderness (<i>Misión Ternura</i>)†	Seeks to promote the development of children under age 5 by combating malnutrition, increasing the number of children participating in early childhood education programs, and increasing participation of children from poor and vulnerable families in public childhood development programs. (2)
Less Poverty, More Development (<i>Menos Pobreza, Más Desarrollo</i>)†	Aims to reduce extreme poverty from 8 percent to 3.5 percent by 2021, in part, through a conditional cash transfer for families living below the poverty line. (2,51)
Youth Impulse (<i>Impulso Joven</i>)†	Seeks to increase job training and higher education opportunities for at-risk youth, support youth entrepreneurship through preferential loans, and connect employers with at-risk youth. (2)

† Program is funded by the Government of Ecuador.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,38,52,53)

*Program was launched during reporting period.

Although civil society stakeholders commended the government's social programs, they reiterated that these programs only make limited interventions in sectors in which child labor is most prevalent, specifically the informal and agricultural sectors. (2)

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 Ecuador (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that laws and regulations governing child labor, especially hazardous labor, are enforced consistently throughout the country, including in rural areas and family-run businesses.	2016 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2018
	Ensure that the labor inspectorate is properly funded so that inspectors receive sufficient resources, including transportation, to adequately carry out their duties. Ensure that inspections sufficiently cover sectors in which child labor has been reported, including the agricultural sector and the informal sector.	2014 – 2018
	Ensure that labor inspectors have sufficient knowledge of existing laws, penalties, and processes, and training in victim identification to conduct inspections and refer victims to social services.	2015 – 2018
	Ensure that police investigators receive sufficient resources, including shelters for victims, to investigate cases of the worst forms of child labor and refer victims.	2016 – 2018
	Strengthen the provision of specialized services for victims under the age of 18.	2018
	Continue to improve the Unified System of Registration of Child Labor (SURTI), ensure that labor inspectors use it to track cases of the worst forms of child labor, and publish this information.	2018
Coordination	Strengthen coordinating mechanisms among ministries providing social services to victims of child labor, especially in the informal sector.	2015 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Conduct a new child labor survey so that there is sufficient data to inform government actions to eliminate child labor.	2018
	Enhance efforts to eliminate barriers and make education, particularly secondary education, accessible for all children, including indigenous and refugee children and children from rural areas, by removing school-related fees, increasing classroom space, and providing adequate transportation.	2014 – 2018
	Enhance efforts to address exploitative labor practices and labor trafficking of migrant and refugee children.	2018
	Ensure that children of refugees and migrants have full access to education, regardless of their ability to provide documentation.	2018
	Ensure that social programs make interventions in sectors where child labor is most prevalent, specifically in the informal and agricultural sectors.	2018

REFERENCES

- Instituto Nacional de Estadística y Censos (INEC). Se presentan resultados de la Primera Encuesta Nacional de Trabajo Infantil. Accessed March 28, 2014. Source on file.
- U.S. Embassy- Quito. Reporting. February 8, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed January 4, 2018. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2014, Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Government of Ecuador, Ministry of Economic and Social Inclusion. Response to USDOL request. February 5, 2015. Source on file.
- Ministerio de Trabajo y Relaciones Laborales. PETI - Proyecto de Erradicación del Trabajo Infantil 2014–2017. June 2013. <http://www.trabajo.gob.ec/wp-content/uploads/2015/04/PROYECTO-PETI-2014-2017.pdf>.
- IOM. Diagnostico Situacional Sobre la Trata de Personas en la Provincia de Pichincha. 2017. Source on file.
- El Mercurio. Trabajo Infantil baja pero persiste. August 31 2015. Source on file.
- UCW. Entendiendo el trabajo infantil y el empleo juvenil en Ecuador. September 2017. http://www.ucw-project.org/attachment/27092017229Ecuador_interagency_report_12092017.pdf.
- Observatorio Social del Ecuador. Niñez, migración y fronteras. 2013. Source on file.
- Ecuadorian Ministry of Economic and Social Inclusion, National Council for Intergenerational Equality, and UNICEF. La niñez y adolescencia en el Ecuador contemporáneo: avances y brechas en el ejercicio de derechos. 2014. Source on file.
- U.S. Embassy- Quito. Reporting. March 11, 2019.
- U.S. Department of State. 2018 Trafficking in Persons Report- Ecuador. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/ecuador/>.
- U.S. Embassy- Quito. Reporting. January 16, 2018.
- U.S. Department of State official. Email communication to USDOL official. April 27, 2018.
- IOM. Diagnostico Situacional Sobre la Trata de Personas en la Provincia de Guayas. 2017. Source on file.
- IOM. Diagnostico Situacional Sobre la Trata de Personas en la Provincia de Manabi. 2017. Source on file.
- U.S. Department of State. Country Reports on Human Rights Practices Ecuador- 2018. 2018. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/ecuador/>.
- UNICEF. Panorama de la situación de la niñez y adolescencia indígena en América Latina: El derecho a la educación y a la protección en Ecuador. 2014. Source on file.
- U.S. Embassy Quito official. Email communication to USDOL official. July 12, 2019.
- Government of Ecuador. Constitución del Ecuador. Enacted: 2008. <http://www.asambleanacional.gov.ec/documentos/Constitucion-2008.pdf>.
- Government of Ecuador. Código de la Niñez y Adolescencia with modifications until 2009. Enacted: 2003. Source on file.
- Government of Ecuador. Resolución No. 16 CNNA. Enacted: 2008. Source on file.
- Government of Ecuador. List of Hazardous Occupations or Activities for Adolescents. Official Register, 2015. Source on file.
- Government of Ecuador. Código Orgánico Integral Penal. Enacted: 2014. <http://www.asambleanacional.gob.ec/system/files/document.pdf>.
- Government of Ecuador. Ley Orgánica de Movilidad Humana. Enacted: January 31, 2017. Source on file.
- Government of Ecuador. Ley Orgánica de Educación Intercultural. Enacted: 2011. Source on file.
- Government of Ecuador. Ley para prevenir y erradicar la violencia contra las mujeres. January 31, 2018. <http://www.cordicom.gob.ec/wp-content/uploads/downloads/2018/06/Ley-para-prevenir-y-erradicar-la-violencia-contra-la-Mujer.pdf>.
- U.S. Embassy- Quito. Reporting. February 19, 2015.
- U.S. Embassy- Quito official. Email communication to USDOL official. May 17, 2016.
- CIA. The World Factbook. Accessed March 18, 2018. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
- ILO. Strategies and Practice for Labour Inspection. ILO Committee on Employment and Social Policy, November 2006: GB.297/ESP/3. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- U.S. Embassy- Quito official. Email communication to USDOL official. March 16, 2018.
- U.S. Embassy- Quito. Reporting. February 8, 2018.
- U.S. Embassy- Quito. Reporting. January 22, 2016.
- U.S. Embassy- Quito official. Email communication to U.S. DOL official. April 15, 2019.

SIGNIFICANT ADVANCEMENT

- 37 Ministerio de Inclusión Económica y Social. Erradicación del Trabajo Infantil en el Sector Agrícola, El Nuevo Enfoque para el Ecuador. Accessed April 11, 2018. <http://www.inclusion.gob.ec/erradicacion-del-trabajo-infantil-en-el-sector-agricola-el-nuevo-enfoque-para-el-ecuador/>.
- 38 U.S. Embassy- Quito. Reporting. January 17, 2017.
- 39 Government of Ecuador. Plan Nacional Toda una Vida. November 2017. http://www.planificacion.gob.ec/wp-content/uploads/downloads/2017/10/PNBV-26-OCT-FINAL_0K.compressed1.pdf.
- 40 Government of Ecuador. Programa Misión Ternura. Accessed March 6, 2018. Source on file.
- 41 U.S. Department of State. Trafficking in Persons Report- 2016: Ecuador. Washington, DC, June 30, 2016. <https://2009-2017.state.gov/j/tip/rls/tiprpt/countries/2016/258759.htm>.
- 42 Ministerio del Interior. Ecuador consolida acciones para combatir el delito de trata de personas. Accessed March 31, 2016. <http://www.ministeriointerior.gob.ec/ecuador-consolida-acciones-para-combatir-el-delito-de-trata-de-personas/#>.
- 43 IOM Ecuador. Bi-monthly meeting of the prevention bureau of the national plan to combat human trafficking with the participation of IOM Ecuador. Quarterly Newsletter, 2015. https://www.iom.int/sites/default/files/mission_newsletter/file/IOM-Ecuador-Quarterly-Newsletter-April-July-2015.pdf.
- 44 U.S. Embassy- Quito official. Email communication to USDOL official. May 8, 2017.
- 45 U.S. Embassy - Quito official. Email communication to USDOL official. April 15, 2019.
- 46 Government of Ecuador. Proyecto Erradicación del Trabajo Infantil Período 018 – 2021. 2018. Source on file.
- 47 Red Pacto Global Ecuador. Se presentan logros de la red de empresas por un Ecuador libre de trabajo infantil en 2014. December 2, 2014. Source on file.
- 48 El Tiempo. Ministerio de Trabajo impulsa red contra trabajo infantil. September 27, 2017. <http://www.eltiempo.com.ec/noticias/region/12/421806/ministerio-de-trabajo-impulsa-red-contra-trabajo-infantil>.
- 49 ILO-IPEC. Building Effective Policies Against Child Labor in Ecuador and Panama. Technical Progress Report, October 2016. Source on file.
- 50 ILO-IPEC. Building Effective Policies Against Child Labor in Ecuador and Panama. Technical Progress Report, April 2016. Source on file.
- 51 Agencia Efe. La Vicepresidenta de Ecuador presenta la misión «Menos pobreza, más desarrollo». January 9, 2018. <https://www.efe.com/efe/america/politica/la-vicepresidenta-de-ecuador-presenta-mision-menos-pobreza-mas-desarrollo/20000035-3487517>.
- 52 ILO-IPEC. Global Action Program on Child Labor Issues. Technical Progress Report, October 2016. Source on file.
- 53 ILO-IPEC Geneva official. Email communication to USDOL official. February 10, 2018.

In 2018, Egypt made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Social Solidarity provided supplemental financial support to over 1.6 million individuals to support children's school attendance. The government also supported the enrollment of 44,000 refugee children in schools and formally adopted the National Plan of Action Against the Worst Forms of Child Labor and Supporting Family and the National Strategy on Childhood and Motherhood, which also has a section on child labor. However, children in Egypt engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in quarrying limestone. The government did not publish data on the enforcement of child labor laws. In addition, programs to combat child labor are insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Egypt engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in quarrying limestone. (1-5) Table 1 provides key indicators on children's work and education in Egypt.

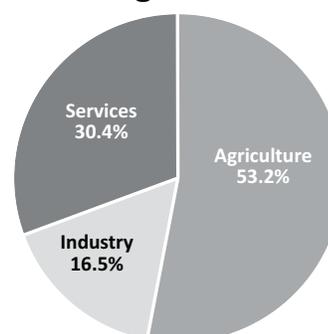
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	2.9 (246,179)
Attending School (%)	10 to 14	93.8
Combining Work and School (%)	10 to 14	1.3
Primary Completion Rate (%)		95

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Survey of Young People in Egypt, 2009. (7)

Figure 1. Working Children by Sector, Ages 5-14



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	Farming, including the production of cotton (4,8-11)
	Caring for livestock (4,11,12)
	Fishing, activities unknown (4,13)
Industry	Quarrying† limestone (1-4)
	Making bricks (4,14-18)
	Working in carpentry workshops (4,19,20)
	Working in marble workshops (21,22)
	Construction, activities unknown (4,11,18,23)
	Working in aluminum factories (4,24)
Services	Domestic work (4,12,18)
	Driving tuktuks (4,25,26)

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Repairing automobiles (4,27)
	Street work, including selling goods, collecting garbage, and sweeping (4,8,19,23,28)
Categorical Worst Forms of Child Labor‡	Domestic work as a result of human trafficking (13,29)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4,5,30)
	Forced begging, sometimes as a result of human trafficking (4,5,31)

† 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.

Some girls are subjected to commercial sexual exploitation under the pretext of temporary marriage to wealthy foreign men, mostly from Persian Gulf countries. (4,13,30) In the past 2 years, Egyptian children were trafficked to Italy, where they were used for bonded child labor, commercial sexual exploitation, and illicit activities. (11,29,32-37) Although the numbers decreased in 2017, and further in 2018, approximately 930 unaccompanied Egyptian children were registered in Italy in 2018 and another 300 had escaped from their shelters in Italy. Some Egyptian children continued to fall victim to labor exploitation in agriculture and food services, and some were sexually exploited. (38)

Many children drop out of school because of school-related costs, such as transportation, clothing, and food. (4,10,13) Girls face additional barriers to education, including long distances to school, harassment and violence at school and on the way to school, lack of sanitation facilities, and cultural barriers. (13,39) However, in academic year 2017–2018, the government helped enroll 44,000 refugee children in schools, not all of whom were registered with UNHCR. (40) Of these, approximately 40,000 Syrian refugee children received education grants from UN agencies to enroll in school. (41)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Egypt 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 Egypt’s legal framework to adequately protect children from the worst forms of child labor, including the prohibition of commercial sexual exploitation of children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 64 of the Child Law (42)
Minimum Age for Hazardous Work	Yes	18	Article 1 of Ministry of Manpower’s Decree 118 (43)

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

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1–2 of Ministry of Manpower's Decree 118 (43)
Prohibition of Forced Labor	Yes		Article 89 of the Constitution; Article 291 of the Penal Code; Articles 2–3 of the Law on Combating Human Trafficking (42,44,45)
Prohibition of Child Trafficking	Yes		Article 89 of the Constitution; Article 291 of the Penal Code; Articles 2–3 of the Law on Combating Human Trafficking (42,44,45)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 116-bis (a) of the Child Law; Article 291 of the Penal Code; Articles 2–3 of the Law on Combating Human Trafficking; Articles 1–4 and 6 of the Law on the Combating of Prostitution (42,45,46)
Prohibition of Using Children in Illicit Activities	Yes		Article 34 of the Law on Narcotics; Article 65 of the Child Law; Article 2.2 of Ministry of Manpower's Decree 118 (42,43,47)
Minimum Age for Voluntary State Military Recruitment	Yes	15	Ministry of Defense Guidelines on Youth Volunteers in the Armed Forces (48)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 1 of the Law on Military and National Service (49)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 7-bis(b) of the Child Law (42)
Compulsory Education Age	Yes	15‡	Article 59(1) of the Child Law; Articles 80 and 238 of the Constitution (42,44)
Free Public Education	Yes		Article 54 of the Child Law (42)

‡ Age calculated based on available information (32,50)

Laws prohibiting the commercial sexual exploitation of children are not comprehensive because they do not criminally prohibit the use of a child in prostitution, although procuring of children for commercial sexual exploitation is covered under the Child Law. (42)

The law prohibits hazardous occupations and activities for children, including in quarrying, tanning, welding, spraying pesticides, and carrying heavy loads. (43) However, the types of hazardous work prohibited for children do not cover brick production, an area of work in which there is evidence of exposure to hazardous temperatures. (14,15,17,18)

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 authority of the Ministry of Manpower that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Manpower	Enforces child labor laws and regulations, including receiving and investigating child labor complaints. Inspectors conduct routine labor inspections and report violations to the Ministry of the Interior, which then refers the case for prosecution. (13)
Ministry of the Interior	Enforces laws and regulations prohibiting human trafficking and commercial sexual exploitation of children. (13)
Ministry of Justice, Prosecutor General's Office	Prosecutes violation of laws related to the worst forms of child labor and human trafficking. (13)
Ministry of Local Development	Provides administrative and logistical support for the enforcement of child labor laws. Administers the Child Protection Committees. (13)
Administrative Control Authority	Investigates government corruption and trafficking in persons, and reports violations to the Ministry of the Interior, which refers the case for prosecution. (51)

MODERATE ADVANCEMENT

Labor Law Enforcement

In 2018, labor law enforcement agencies in Egypt took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Manpower that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (13)	Unknown (4)
Number of Labor Inspectors	Unknown (13)	530 (4)
Inspectorate Authorized to Assess Penalties	No (13)	No (4)
Initial Training for New Labor Inspectors	Yes (13)	Unknown (4)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (13)	Yes (18)
Number of Labor Inspections Conducted	Unknown (13)	Unknown (4)
Number Conducted at Worksite	3,388 (52)	Unknown (4)
Number of Child Labor Violations Found	509 (52)	602 (51)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (13)	Unknown (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (13)	Unknown (4)
Routine Inspections Conducted	Yes (13)	Yes (4)
Routine Inspections Targeted	Unknown (13)	Yes (4)
Unannounced Inspections Permitted	Yes (13)	Yes (4)
Unannounced Inspections Conducted	Yes (13)	Yes (4)
Complaint Mechanism Exists	Yes (13)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (4)

In 2018, the Ministry of Manpower continued its cooperation with the ILO on labor inspector training. From November 2013 to March 2018, the Ministry provided training on core labor standards to 911 labor inspectors. (18) During the reporting period, the government issued 6,663 formal warnings for labor violations, and filed 602 violation reports. (51) Additionally, from January 2017 to March 2018, the Ministry referred 74 institutions to the Prosecutor General's Office for child labor violations. During the same period, the Ministry protected approximately 19,000 children from child labor. (50) It is unclear if all of these children were engaged in child labor or were at risk. (50)

The number of labor inspectors is likely insufficient for the size of Egypt's workforce, which includes over 29.95 million workers. (53) According to the ILO's technical advice of 1 inspector for every 15,000 workers in developing economies, Egypt would employ about 1,997 inspectors. (54,55) The government does not publish information about the funding of the inspectorate, initial training for new inspectors, the number of inspections, and penalties for violations. (4)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Egypt 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 disaggregation of human trafficking enforcement data on children.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (13)	Unknown (4)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (13)	N/A
Refresher Courses Provided	Yes (56)	Yes (57)
Number of Investigations	Unknown (13)	Unknown (4)

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

Overview of Criminal Law Enforcement	2017	2018
Number of Violations Found	Unknown (13)	Unknown (4)
Number of Prosecutions Initiated	Unknown (13)	Unknown (4)
Number of Convictions	Unknown (13)	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (4)

In 2018, government bodies, such as the National Coordination Committee on Preventing Illegal Migration and Combating Trafficking in Persons, provided training on human trafficking to 261 judges, 159 public prosecutors, 98 police officers, and other government officials, social workers and civil society representatives, and journalists. (57) The Ministry of the Interior investigated 78 cases of human trafficking, prosecuted 11 cases, and convicted 40 individuals. At the end of year, there were 32 pending prosecutions and 21 active investigations. (57) At least some cases involved child trafficking, but the exact disaggregate number is unavailable. (57)

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 among government agencies.

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

Coordinating Body	Role & Description
National Council for Childhood and Motherhood (NCCM)	Coordinates enforcement of laws related to child labor, including its worst forms. Provides technical support and training about child labor for the Ministry of Manpower's inspectors. (7) Identifies and monitors at-risk children. Manages two 24-hour hotlines and receives reports of child labor and child trafficking. (13) In 2018, NCCM held consultative workshops with government partners and NGOs to implement the National Strategic Plan to Counter Violence against Children, which includes elements to counter sexual exploitation of children. (40) NCCM also provided human trafficking training of trainers, who subsequently held sessions with 720 children. An additional 700 children received awareness messaging through interactive skits. (57) Because of awareness-raising campaigns, NCCM reported an increase in the number of reports of irregular migrations and child trafficking that it received in 2018. NCCM also cooperated with other government agencies and signed a protocol to establish a shelter for survivors of human trafficking. (57)
National Coordinating Committee to Combat the Worst Forms of Child Labor	Coordinates the efforts of the Ministries of Manpower, Justice, Social Solidarity, and the Interior; the Council for Human Rights, Childhood, and Motherhood; and the Council for Women, for drafting a National Strategy to Combat the Worst Forms of Child Labor. (13) Research was unable to determine whether the National Coordinating Committee to Combat the Worst Forms of Child Labor was active during the reporting period.
National Coordination Committee on Preventing Illegal Migration and Combating Trafficking in Persons	Coordinates efforts to combat human trafficking. Led by an Ambassador appointed by the Prime Minister, comprises 18 government entities, including the Ministries of the Interior and Manpower. (13) In 2018, the Committee carried out a national campaign to raise awareness about human trafficking. Projects included a photo exhibit, a music video featuring several pop stars that was viewed 8 million times, a media campaign on the treatment of domestic workers, updated information on its Facebook page, publication of a book on children on the move, and a manual for NGOs on countering human trafficking. (57,58) Despite efforts, insufficient coordination prevents effective collaboration of government agencies and NGOs. (57)
Child Protection Committees	Coordinates child protection efforts at the local level. Led by the Ministry of Social Solidarity and chaired by local governors in each governorate, with subcommittees at each police station. (13) In January 2019, NCCM re-established Child Protection Committees that had previously been inactive. (57)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

MODERATE ADVANCEMENT

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan of Action Against the Worst Forms of Child Labor and Supporting Family (2018–2025)†	Aims to eliminate the worst forms of child labor by 2025 and identify roles of government agencies responsible for assisting child laborers. (13) Developed in 2017 and formally adopted in 2018, the strategic objectives of the National Plan of Action include expansion of the child labor knowledge base; capacity building of agencies providing support; social protection, with links to existing programs; enhanced education, including vocational education for children; and advocacy and awareness raising. (18)
Third National Plan of Action Against Human Trafficking (2016–2021)	Aims to maintain referral mechanisms, train law enforcement officials, and combat trafficking of street children. (13) During the reporting period, the National Coordination Committee on Preventing Illegal Migration and Combating Trafficking in Persons began to work on improving the national referral mechanism. Several government agencies provided human trafficking training to officials. (52) In 2017 and 2018, the Ministry of Social Solidarity provided services to thousands of children who engage in street work. (52)
National Strategy for Childhood and Motherhood (2018–2030)†	The child labor chapter aims to promote dialogue on child labor legislation, including updating the hazardous work list; building the capacity of relevant government agencies, such the Ministry of Manpower and NCCM; developing programs to address child labor; and expanding education and vocational training opportunities. (4)

† Policy was approved during the reporting period.

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
Enhancing Access of Children to Education and Fighting Child Labor (2014–2018)	\$65 million, EU-funded, 4-year project implemented by the WFP to provide food security for up to 100,000 children at risk of child labor and financial assistance to 400,000 family members to compensate for wages that child labor would have otherwise generated, enabling children to attend school. (59) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.
Expanding Access to Education and Protection for At-Risk Children in Egypt (2016–2021)	\$32 million, EU-funded project implemented by UNICEF in cooperation with the Ministry of Education and the NCCM to expand access to education for 36,000 children, including 6,000 children with disabilities, and to support 15 Child Protection Committees in 15 governorates. (60) Research was unable to determine whether activities were undertaken to implement Expanding Access to Education and Protection for at Risk Children in Egypt during the reporting period.
Solidarity and Dignity Program (Takaful and Karama)†	Funded by the Ministry of Social Solidarity, the program promotes schools attendance and health monitoring for children by providing income supplements to poor families. (4) In 2018, the program had over 1.6 million participants. (40)
Children without Shelter†	The Ministry of Social Solidarity operates shelters for victims of human trafficking, child victims of trafficking and forced labor, and other vulnerable individuals. Dar as-Salam, operated by the NCCM and an NGO, Face, provides social services, including psychological counseling and health services. (63) Mobile units in 10 governorates work to reintegrate children with their families or place them in foster care. (40) In 2018, the units provided legal, medical, social, and psychological services to over 14,600 children. (57)

† Program is funded by the Government of Egypt.

In 2018, the Ministry of Education began providing training sessions for educators and administrators on human trafficking, forced marriage, and child labor. (57)

Although Egypt has programs that target child labor, the scope of these programs is insufficient to address fully the extent of the problem, particularly for commercial sexual exploitation and quarrying limestone.

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 Egypt (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the use of children for commercial sexual exploitation.	2017 – 2018
	Ensure that the types of work that children perform in Egypt that expose them to hazardous temperatures, such as brick production, are prohibited for children under age 18.	2017 – 2018
Enforcement	Publish information on labor inspection, including the funding, initial training for inspectors, number of labor inspections, and penalties imposed and collected.	2011 – 2018
	Strengthen the labor inspectorate by authorizing inspectors to assess penalties.	2017 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018
	Publish information on initial training for criminal investigators and the disaggregate number of violations, investigations, prosecutions, and convictions for criminal violations of child labor laws.	2011 – 2018
Coordination	Ensure the National Coordinating Committee to Combat the Worst Forms of Child Labor is able to carry out their intended mandates, and ensure effective collaboration between government agencies and other stakeholders.	2017 – 2018
Social Programs	Ensure universal access to free public education, especially for girls, by addressing the cost of school fees, supplies, and other barriers to education.	2010 – 2018
	Expand programs to address the full scope of the child labor problem, particularly in commercial sexual exploitation and in quarrying limestone.	2010 – 2018

REFERENCES

- Brook, Pete. Haunting Photos of the Children Toiling in Egypt's Limestone Mines. *Wired*, September 3, 2014. <http://www.wired.com/2014/09/myriam-abdelaziz-menyas-kids>.
- Crowder, Nicole. Down in the quarry. *The Washington Post*, February 23, 2015. <https://www.washingtonpost.com/news/in-sight/wp/2015/02/23/down-in-the-quarry/>.
- Elshamy, Mosa'ab. Powder-covered workers toil in Egypt's quarries. *The Associated Press*, April 6, 2015. <https://www.apnews.com/3eab905b7430405b96dc601030193ba1>.
- U.S. Embassy- Cairo. Reporting. January 31, 2019.
- U.S. Department of State. *Trafficking in Persons Report- 2018: Egypt*. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/egypt/>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Survey of Young People in Egypt, 2009. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Ouf, Ibrahim. No easy solution for Egypt's child labour problem. *The Arab Weekly*, May 29, 2016. <http://www.thearabweekly.com/Opinion/5250/No-easy-solution-for-Egypt-s-child-labour-problem>.
- El Badri, Haitham. White Gold: Open Treasure in the Dunes. *Youm 7*, September 7, 2017. Source on file.
- Emam, Amr. Egyptian children dropping out of school because of poverty. *The Arab Weekly*, April 16, 2017. <http://www.thearabweekly.com/Opinion/8260/Egyptian-children-dropping-out-of-school-because-of-poverty>.
- Save the Children. *Young Invisible Enslaved: Children Victims of Trafficking and Labor Exploitation in Italy*. July 2017. http://www.childlinesa.org.za/wp-content/uploads/Young_Invisible_Enslaved.pdf.
- ILO, and Egyptian Central Agency for Public Mobilization and Statistics (CAPMAS). *Working Children in Egypt: Results of the 2010 National Child Labour Survey*. Cairo, May 1, 2012. http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_21017/lang-en/index.htm.
- U.S. Embassy- Cairo. Reporting. January 22, 2018.
- Abouel Dahab, Magreb. Child labour: A fact of life in Egypt's brick factories. *Middle East Eye*, March 4, 2015. <http://www.middleeasteye.net/in-depth/features/child-labour-fact-life-egypts-brick-factories-1079867304>.
- Arab Trade Union Organization. Egypt: Ten thousand children bury their dreams in brick factories. August 7, 2016. <http://www.arabtradeunion.org/en/content/egypt-ten-thousand-children-bury-their-dreams-brick-factories>.
- Darder, Belal. Exposing the Inhumanity of Slaving Away at Egypt's Brick Factories. *Egyptian Streets*, September 9, 2015. <https://egyptianstreets.com/2015/09/09/exposing-the-inhumanity-of-slaving-away-at-egypts-brick-factories/>.
- Charbel, Jano. Egypt's most dangerous professions. *Mada Masr*, June 2, 2014. <https://www.madamasr.com/en/2014/06/02/feature/economy/egypts-most-dangerous-professions/>.
- Ministry of Manpower. National Action Plan for Combating the Worst Forms of Child Labour in Egypt and Supporting Family (2018-2025). June, 2018. https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-addis_ababa/documents/publication/wcms_633743.pdf.
- Samir, Samar. Child labor: the hidden cost of small industries. *The Cairo Post*, November 6, 2014. Source on file.
- Gulf News. Regional spike in child labour amid global low. June 11, 2017. <http://gulfnews.com/news/mena/other/regional-spike-in-child-labour-amid-global-low-1.2041998>.
- Fathi, Ahmed. Shaq El Tho'ban: Child Labor Fuels Egypt's Marble Industry. *Raseef 22*, April 2, 2017. <https://raseef22.com/en/life/2017/04/02/shaq-el-thoban-child-laborers-fuel-egypts-marble-industry/>.
- El-Behary, Hend. March saw highest rates of child abuse in Egypt in 5 years. *Egypt Independent*, April 24, 2017. <http://www.egyptindependent.com/efacc-march-saw-highest-rates-child-abuse-egypt-5-years/>.

MODERATE ADVANCEMENT

- 23 Galal, Youssef. Child Labour in Egypt: 4 Underage Workers Document Their Struggles. Cairo Scene, February 8, 2017. <http://cairoscene.com/In-Depth/Child-Labour-in-Egypt-4-Underage-Workers-Document-Their-Struggle>.
- 24 Eddin, Mohamad Ali. Egypt's aluminium industry thrives on child labour. August 26, 2015. <http://www.scidev.net/global/children/multimedia/egypt-s-aluminum-industry-thrives-child-labour.html>.
- 25 The Associated Press. Rise in children quitting school to drive tuktuks. July 3, 2017. <https://www.youtube.com/watch?v=T3wcdLlrHG0>.
- 26 Awad, Sherif. Documentary Offers Candid Look At Lives Of Child Tuk-Tuk Drivers. Egypt Today, August 21, 2016. Source on file.
- 27 U.S. Embassy- Cairo. Reporting. January 24, 2017.
- 28 Curnow, Walt. Child poverty increases in Egypt as critical support languishes. Al Monitor, January 9, 2017. Source on file.
- 29 U.S. Department of State. Trafficking in Persons Report- 2017: Egypt. Washington, DC, June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/egypt/>.
- 30 Borisova, Nevena. In Egypt, Both Sexual Harassment and Child Marriages Continue to Plague the Country. Global Voices, December 15, 2017. <https://globalvoices.org/2017/12/15/in-egypt-both-sexual-harassment-and-child-marriages-continue-to-plague-the-country/>.
- 31 Fazza, Rania. Childhood sold off the back of a cart. The Cairo Post, January 12, 2014. http://thecairopost.com/news/71852/inside_egypt/the-plight-of-syrian-children-in-egypt.
- 32 Elbagir, Nima. How children are trafficked into Europe. CNN, June 16, 2015. <http://www.cnn.com/2015/06/15/europe/freedom-project-misery-trail-children/>.
- 33 Trew, Bel. Death ship won't stop Egypt's migrants. The Daily Beast, October 4, 2016. <http://www.thedailybeast.com/articles/2016/10/04/death-ship-won-t-stop-egypt-s-migrants.html>.
- 34 Save the Children. As Number of Lone Children Fleeing to Italy Soars, New Report Reveals Brutal Child Trafficking Practices. July 29, 2016. <https://www.savethechildren.net/article/number-lone-children-fleeing-italy-soars-new-report-reveals-brutal-child-trafficking>.
- 35 Muzi, Luca. Thousands of African child migrants feared in thrall to Italian traffickers. The Guardian, October 17, 2014. <https://www.theguardian.com/global-development/2014/oct/17/african-child-migrants-italian-traffickers-forced-labour-sexual-exploitation>.
- 36 IOM. Egyptian Unaccompanied Migrant Children: A case study on irregular migration. Geneva, 2016. <https://publications.iom.int/books/egyptian-unaccompanied-migrant-children-case-study-irregular-migration>.
- 37 U.S. Embassy- Rome. Reporting. February 26, 2018.
- 38 U.S. Embassy- Rome. Reporting. February 19, 2019.
- 39 CARE Egypt. Barriers to Girls' Education. November 21, 2017. https://www.youtube.com/watch?time_continue=26&v=rtIArAuJl30.
- 40 Embassy of Egypt Official. Interview with USDOL official. December 21, 2018.
- 41 UN. 3RP: Regional Refugee and Resilience Plan 2018-2020. Progress Report: January - June. 2018. <http://www.3rpsyriacrisis.org/wp-content/uploads/2018/09/3RP-2018-Progress-Report-Jan-June-2018.pdf>.
- 42 Government of Egypt. Child Law, Promulgated by Law No. 12 of 1996 (amended by Law No. 126 of 2008), also amending the Penal Code, Law No 58 of 1937. Enacted: 2008. Source on file.
- 43 Government of Egypt. Ministry of Manpower and Migration Decree 118 of the Year 2003. Enacted: 2003. Source on file.
- 44 Government of Egypt. Constitution of the Arab Republic of Egypt 2014-unofficial translation. Enacted: January 18, 2014. <http://www.sis.gov.eg/Newvvr/Dustor-en001.pdf>.
- 45 Government of Egypt. Law No. 64 of 2010 regarding Combating Human Trafficking. Enacted: 2010. Source on file.
- 46 Government of Egypt. Law No. 10 of 1961, on the Combating of Prostitution. 1961. <http://www.refworld.org/docid/5492d8784.html>.
- 47 Government of Egypt. Law on Narcotics No. 182. Enacted: June 5, 1960. Source on file.
- 48 Government of Egypt, Ministry of Defense. Guidelines on Youth Volunteers in the Armed Forces. Cairo, Source on file.
- 49 Government of Egypt. Law No. 127 on Military and National Service. Enacted: 1980. Source on file.
- 50 Kandil, Amr Mohamed. Egypt reviews national efforts to end child labour by 2025. July 2, 2018. <http://www.egypttoday.com/Article/2/53187/Egypt-reviews-national-efforts-to-end-child-labour-by-2025>.
- 51 U.S. Embassy- Cairo official. Email communication to USDOL official. June 27, 2019.
- 52 U.S. Embassy- Cairo. Reporting. March 13, 2018.
- 53 CIA. The World Factbook. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/geos/eg.html>.
- 54 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 55 ILO. Strategies and Practice for Labour Inspection: Geneva: Committee on Employment and Social Policy. GB.297/ESP/3. November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/>
- 56 Mareeg. Egyptian Officials Trained on Identifying, Investigating Cases of Human Trafficking, Smuggling. March 14, 2017. <http://mareeg.com/egyptian-officials-trained-on-identifying-investigating-cases-of-human-trafficking-smuggling/>.
- 57 U.S. Embassy- Cairo. Reporting. April 8, 2019.
- 58 IOM. NCCPIM&TIP, IOM and UNODC Mark the World Day against Trafficking in Persons and the Launch of the Blue Heart Campaign. July 30, 2018. <https://egypt.iom.int/en/news/nccpimtip-iom-and-unodc-mark-world-day-against-trafficking-persons-and-launch-blue-heart>.
- 59 WFP. The EU and WFP Launch a Project to Fight Child Labour through Education in Egypt. September 22, 2014. <http://www.wfp.org/news/news-release/eu-and-wfp-launch-project-fight-child-labour-through-education-egypt>.
- 60 European Union- External Action Service. European Union supports Egypt in collaboration with UNICEF to expand educational opportunities and enforce child protection systems. October 24, 2016: Press Release. https://eeas.europa.eu/headquarters/headquarters-homepage/12826/european-union-supports-egypt-collaboration-unicef-expand-educational-opportunities-and_en.
- 61 IOM. Positive Life Alternatives for Egyptian Youth at-Risk of Irregular Migration Program (PLAYA)- Fact sheet. March 2016. Source on file.
- 62 U.S. Embassy- Cairo official. Email communication to USDOL official. May 10, 2016.
- 63 U.S. Embassy- Cairo. Reporting. March 19, 2017.

In 2018, El Salvador made a significant advancement in efforts to eliminate the worst forms of child labor. The government extended its National Action Plan for the Protection of Children and Adolescents into 2019 and modified its process for granting adolescents work permits, both with the goal of aligning laws and policies with international standards and national legislation. El Salvador also published its Annual Household Survey with data on child labor, as well as a guide highlighting efforts to combat child labor in the sugarcane industry. In addition, the government launched the local government component of its Sustainable Families Strategy in 16 municipalities and implemented an inter-agency protocol to improve coordination of services for human trafficking victims. However, children in El Salvador engage in the worst forms of child labor, including in illicit activities, sometimes as a result of human trafficking. Children also perform dangerous tasks in the harvesting of coffee. Law enforcement agencies continue to lack sufficient resources to fully enforce child labor laws.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in El Salvador engage in the worst forms of child labor, including in illicit activities, sometimes as a result of human trafficking. Children also perform dangerous tasks in the harvesting of coffee. (1-5) Table I provides key indicators on children's work and education in El Salvador.

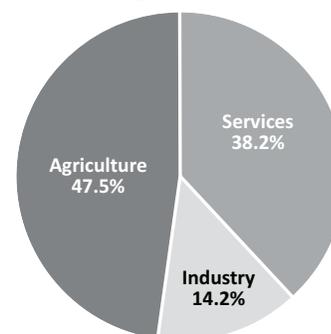
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	5.9 (68,431)
Attending School (%)	5 to 14	92.3
Combining Work and School (%)	7 to 14	6.1
Primary Completion Rate (%)		90.8

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Hogares de Propósitos Múltiples (EHPM), 2015. (7)

Figure I. Working Children by Sector, Ages 5-14



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	Harvesting sugarcane† and coffee,† and production of cereal grains (2,8-10)
	Cattle-raising† (10)
	Fishing,† including harvesting shellfish and mollusks† (2,3,8,11-13)
Industry	Manufacturing fireworks† (2,9,11,13,14)
	Production of baked goods (10)
	Construction† (8,10,11,15)
Services	Garbage scavenging,† street begging,† performing,† and vending† (2,9,11,16)
	Domestic work (2,9-11,17,18)
	Selling goods in markets or kiosks and working in restaurants (10)
	Repairing motor vehicles† (10,15)

El Salvador

SIGNIFICANT ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking (4,11,13)
	Use by gangs to perform illicit activities, including committing homicides, extortion, and trafficking drugs, sometimes as a result of human trafficking (3,4,13)
	Forced begging, domestic work, and street work (3,4,11)

[†] 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.

Children in El Salvador often lack economic and educational opportunities and are vulnerable to the worst forms of child labor, including commercial sexual exploitation. They are also recruited by gangs for illicit activities such as delivering threats, collecting extortion money, serving as surveillance, trafficking drugs, and committing homicides. (1,5,19,20) Children often emigrate to escape violence, extortion, and forced recruitment by gangs, in addition to seeking economic opportunities and family reunification. Once en route, they become vulnerable to human trafficking and commercial sexual exploitation. (3,5,19,21) El Salvador’s Trafficking in Person’s Special Prosecutor indicated that girls between the ages of 10 and 17 were the most at risk of being trafficked. (5)

In 2018, El Salvador published the results of the 2017 El Salvador Annual Household Survey, which reflected a 1.3 percent reduction in child labor compared to 2016. (1) Child labor in El Salvador is predominantly male, with boys comprising approximately two-thirds of child laborers ages 5 to 17. (10,22-24) However, girls comprise the majority of children engaged in domestic work in third-party homes. (10,11,17)

Multiple reports, including by a third-party monitoring group, indicate that the use of child labor in sugarcane harvesting has decreased since 2010. (1,25-27) In 2018, the government cooperated with the ILO and FUNDAZUCAR, a corporate social responsibility entity of the Sugar Association of El Salvador, to publish a guide detailing efforts to combat child labor in the sugar industry. However, supporting data demonstrating the impact from these efforts have not been published. (1)

At schools, children are recruited, extorted, and harassed by gangs, which may cause them to stop attending school. Children who do not attend school are more vulnerable to child labor, including its worst forms. (1,3,21,28-33) Poverty, particularly in rural areas, also presents a barrier to education in El Salvador because children leave school to contribute to family incomes. Furthermore, poor families may find it difficult to obtain the required birth certificates to enroll children in school. (1) Limited reporting also indicates that children from indigenous communities disproportionately lack access to education. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

El Salvador 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's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 114 of the Labor Code; Article 38 of the Constitution; Article 59 of the Law for the Comprehensive Protection of Children and Adolescents (LEPINA) (34-36)
Minimum Age for Hazardous Work	Yes	18	Article 105 of the Labor Code; Article 38 of the Constitution; Article 2 of Agreement 241 of 2011 (34,35,37)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Agreement 241 of 2011 (37)
Prohibition of Forced Labor	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Article 13 of the Labor Code; Article 56 of LEPINA; Articles 4 and 9 of the Constitution (34-36,38)
Prohibition of Child Trafficking	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Article 56 of LEPINA (36,38)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Articles 169–173 of the Penal Code; Article 55 of LEPINA (36,38,39)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Articles 214 and 345 of the Penal Code; Article 56 of LEPINA (36,38,39)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Articles 2 and 6 of the Military Service Law (40)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 215 of the Constitution; Decree N. 298 (34,41)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 345 of the Penal Code; Article 1 of the Law Prohibiting Gangs and Criminal Organizations; Article 7 of the Constitution (34,39,42)
Compulsory Education Age	Yes	18‡	Articles 5, 18, 20, and 22 of the General Education Law; Article 82 of LEPINA; Article 56 of the Constitution (34,36,43)
Free Public Education	Yes		Articles 5, 18, 20, and 22 of the General Education Law; Article 82 of LEPINA; Article 56 of the Constitution (34,36,43)

‡ Age calculated based on available information (36,43)

In 2018, the Ministry of Labor and Social Security (MTPS) modified its questionnaire for granting labor permits to adolescents to comply with its legislation on Hazardous Occupations or Activities Prohibited for Children. The MTPS also advised the Ministry of the Treasury on ILO rules on Sustainable Criteria to Prevent and Eliminate Child Labor from Public Acquisitions. (1)

In addition, 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. (34-36,43)

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 MTPS 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 Social Welfare (MTPS)	Inspects registered businesses for labor violations, including child labor. (8,13) Maintains a child labor unit dedicated to child labor law enforcement issues. (44) Refers cases of alleged crimes of the worst forms of child labor to the Office of the Attorney General (AG). (8)

El Salvador

SIGNIFICANT ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
AG	Enforces criminal laws related to the worst forms of child labor. Maintains AG's Special Unit on Trafficking in Persons and Related Crimes that consists of 12 prosecutors who investigate human trafficking and related crimes. (8,9,28,38) Refers exploited children to the Salvadoran Institute for the Comprehensive Development of Children and Adolescents (ISNA) for social services. (8)
National Civilian Police (PNC)	Enforces criminal laws related to the worst forms of child labor. Maintains PNC's Special Unit on Trafficking in Persons and Related Crimes that investigates cases of human trafficking, including child trafficking. (8,13,38) Maintains a hotline that receives complaints about human trafficking for sexual and labor exploitation. (45)
ISNA	Receives referrals from law enforcement agencies on cases of criminal exploitation of children, including for forced labor, human trafficking, and commercial sexual exploitation. Provides child victims with services, including shelter, medical attention, psychological help, and legal advice. (46)

*Agency was created during the reporting period.

Labor Law Enforcement

In 2018, labor law enforcement agencies in El Salvador took actions to combat child labor (Table 6). However, gaps exist within the operations of the MTPS that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$1,696,239 (13)	Unknown
Number of Labor Inspectors	181 (13)	104 (1)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (1)
Initial Training for New Labor Inspectors	N/A	Yes (1)
Training on New Laws Related to Child Labor	N/A	Yes (1)
Refresher Courses Provided	Yes (13)	Yes (1)
Number of Labor Inspections Conducted	31,337 (47)	1,440 (1)
Number Conducted at Worksite	31,337 (47)	585 (1)
Number of Child Labor Violations Found	2 (13)	3 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (13)	3 (1)
Number of Child Labor Penalties Imposed that Were Collected	0 (13)	0 (48)
Routine Inspections Conducted	Yes (13)	Yes (1)
Routine Inspections Targeted	Yes (13)	Yes (1)
Unannounced Inspections Permitted	Yes (13)	Yes (1)
Unannounced Inspections Conducted	Yes (13)	Yes (1)
Complaint Mechanism Exists	Yes (13)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (1)

In 2018, the MTPS published a comprehensive report detailing its activities targeting child labor from 2009 until 2018, including targeted inspection data on the worst forms of child labor in the fireworks, coffee, and sugar industries from 2017 through May 2018. (1) The Ministry indicated that in 2018, the labor inspectorate changed its work schedule to conduct inspections in the agricultural sector early in the morning to identify child labor. (1)

During the reporting period, 82 of El Salvador's 104 inspectors received training on International Law and National Legislation, the ILO and its Normative Systems, the Application of International Law and ILO Jurisprudence, Freedom of Association and Collective Bargaining, and Compliance with Equality Conventions. (1)

The MTPS indicated that its budget is insufficient to address workers' rights and expressed concern that the Ministry's proposed 2019 budget does not include funds to specifically combat child labor. (1) The labor inspectorate employed fewer inspectors in 2018 than in 2017, and inspectors focus primarily on the formal

sector due to resource constraints, despite the size of El Salvador’s informal sector. In 2018, the Ministry did not report any inspection activities targeting the categorically worst forms of child labor, such as forced begging and forced domestic work, and instead limited inspections to known problem areas such as car washes, street vendors, and some farms. (1,48) Furthermore, the number of labor inspectors is likely insufficient for the size of El Salvador’s workforce, which includes more than 2.7 million workers. According to the ILO’s technical advice of a ratio approaching of 1 inspector for every 15,000 workers in industrializing economies, El Salvador would employ about 164 labor inspectors. (49)

The MTPS identified three child labor violations in 2018, but no penalties were issued because the cases were reportedly resolved upon re-inspection. (1)

Article 627 of the Labor Code specifies a default fine of no more than \$60 per violation of all labor laws, including child labor laws. (1,35) Reports indicate that this amount is insufficient to deter labor violations. (5,28) In 2018, the MTPS imposed approximately \$13,000 worth of labor fines, but information was not available to determine how much was collected overall and how much was collected for child labor violations. (1)

Criminal Law Enforcement

Criminal law enforcement agencies in El Salvador took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including allocating financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (13)	N/A (1)
Refresher Courses Provided	Yes (13)	Yes (1)
Number of Investigations	19 (13)	40 (1)
Number of Violations Found	77 (13)	14 (48)
Number of Prosecutions Initiated	9 (13)	9 (1)
Number of Convictions	0 (13)	0 (1)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (1)

In 2018, the Office of the Attorney General (AG) reported prosecuting 8 cases of sexual exploitation of minors involving 24 victims and 16 defendants, with 4 defendants receiving sentences of 10 to 12 years. (1) ISNA reported that police rescued 17 adolescent victims of human trafficking and placed them in the ISNA Regional Trafficking in Persons Shelter. (1)

Prosecutors in El Salvador received a range of refresher trainings on human trafficking issues, including 9 prosecutors trained in trafficking in persons and modalities of trafficking in persons, 37 prosecutors trained in cyber-crimes and trafficking, and 7 prosecutors trained in the history of gang evolution and trafficking. (1)

The AG reported that the Ministry of Justice and Public Security is underfunded and unable to field a sufficient number investigators to collect and analyze evidence to process case backlogs. (1) In addition, reports indicate that increased coordination between the National Civilian Police and the AG is needed to improve the investigation and prosecution of criminal child labor violations. (51)

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 information sharing among agencies.

El Salvador

SIGNIFICANT ADVANCEMENT

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

Coordinating Body	Role & Description
National Committee for the Eradication of Child Labor	Determines and implements government efforts to combat child labor, including the Roadmap to Make El Salvador a Country Free of Child Labor and its Worst Forms. Chaired by MTPS, includes 12 government agencies, along with representatives from labor unions, business associations, and NGOs. (10,11,13,52) Maintains a web-based monitoring system that allows government agencies to share and analyze information to coordinate the implementation of the Roadmap. (13,53,54) Research was unable to identify specific activities undertaken during the reporting period.
National Council Against Trafficking in Persons	Coordinates government efforts to combat human trafficking and implement the National Policy Against Trafficking in Persons. (13,55) Led by the Ministry of Justice and Public Security and composed of 11 government agencies. (13,38,56) In 2019, launched the Inter-Institutional Operation Protocol for the Immediate Attention to Trafficking Victims to establish an inter-agency coordination mechanism and expedite care to trafficking victims from multiple agencies. (5)
National Council for Children and Adolescents (CONNA)	Develops policies to protect the rights of children, including those regarding child labor, and implement LEPINA and the National Policy for the Protection of Children and Adolescents (PNPNA). (13,36,57,58) Composed of Departmental and Local Committees for Children's and Adolescents' Rights, ISNA, the Ministry of Public Security and Justice, the AG, the Human Rights Ombudsman, and other agencies. (13) In 2018, distributed guidelines for coordinating efforts in cases of sexual violence against children and adolescents. (5)
Departmental and Local Committees for Children's and Adolescents' Rights	Implement CONNA's policies, including PNPNA, at the departmental and municipal levels, as well as receive complaints of child rights violations at the departmental level. (13,36,59-61) Research was unable to identify specific activities undertaken during the reporting period.

Salvadoran police chiefs and prosecutors indicated that difficulties in collecting, sharing and gaining actionable insights from investigative information remain a challenge, especially because investigative bodies lack the capabilities to share information electronically. (5)

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 mainstreaming child labor issues into relevant national policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
PNPNA (2013–2023)	Sets government policies aimed at guaranteeing children's rights and protecting children from violence and harm, including the worst forms of child labor. Other objectives include improving health services and access to quality education for children, including children with disabilities, and reducing poverty. (10,58) In 2018, the government launched the National Strategy for the Critical Development of Early Infancy as part of PNPNA. (63)
National Action Plan for the PNPNA (2014–2019)	Sets a framework for implementing the PNPNA from 2014 to 2017. Aims to address PNPNA objectives, including the prevention of violence, the promotion of access to quality education, and the elimination of child labor by focusing on children's and adolescents' rights, gender equality, and social inclusion. (10,64,65) During the reporting period, the action plan was extended into 2019 as part of an effort to bring El Salvador's laws and policies into compliance with international standards. (1)
National Policy Against Trafficking in Persons	Defines a comprehensive plan to combat human trafficking of adults and children for labor and commercial sexual exploitation. Aims to improve prevention efforts, victim assistance, prosecution, interagency coordination, training, and anti-corruption efforts. (66,67) As part of the policy, El Salvador launched an interagency protocol to improve victim assistance, which resulted in trafficking victims receiving expedited medical and psychological care during the reporting period. (5) Also under the policy, the Anti-Trafficking Council continued to operate 19 offices that provided information and referrals for trafficking victims in 15 municipalities across the country. (48)
Educated El Salvador Plan	Outlines six priorities for improving El Salvador's national education system, including increasing security in schools and improving access to education for vulnerable groups, including children engaged in child labor. (13,33) The government indicated in a December 2018 progress report that fewer schools were in gang-controlled communities and that the overall high school dropout rate had decreased. (1)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (1,5,28,68-78)

In 2018, the Ministry of Labor highlighted ongoing social programs aimed at providing children access to education and the increase in the minimum wage as key actions taken during the reporting period that directly or indirectly impacted the prevalence of child labor in El Salvador. (79) The government has not incorporated child labor elimination and prevention strategies into the National Youth Policy (2010–2024). (80)

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 problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-funded Projects	Projects which aim to reduce the incidence of child labor, including: Youth Pathways—Central America (2015–2019), \$16.5 million project implemented by Catholic Relief Services in El Salvador and Honduras; Global Research on Child Labor Measurement and Policy (MAP) Development (2013–2018), \$7 million project implemented by ILO in 10 countries; and Reducing Incidence of Child Labor and Harmful Conditions of Work in Economic Strengthening Initiatives (RICHES) (2017–2021), \$1.5 million project implemented by the Grameen Foundation in El Salvador and the Philippines. (81–84) As part of the MAP project, USDOL is working with local stakeholders in El Salvador to ensure that the 2017 Annual Household Survey published in 2018 is accurate and consistent. (85) Additional information is available on the USDOL website.
Human Trafficking Public Awareness Campaigns†	Government public-awareness campaigns implemented by CONNA and the Ministry of Foreign Affairs to raise awareness about the dangers of human trafficking. Includes CONNA’s “Don’t Risk Your Lives” campaign, supported by UNICEF and IOM, and the “Protection Starts at Home” and “Talk to Me” awareness programs, which promote respect towards the physical, psychological, and sexual integrity of children and adolescents. (13,50,51,81) In 2018, launched a public awareness campaign in cooperation with the UNODC Blue Heart Campaign that included outdoor billboards and broadcast media, as well as training for hotel operators and bus drivers. (5) Also launched a public awareness campaign to promote the Crime Stoppers tip line. (5)
Sustainable Families Programs†	Set of government programs focused on improving health, education, productivity, and security, and eliminating poverty through inclusive and sustainable economic growth and public services. Includes Health and Education Bonus Programs that assist families with cash transfers conditioned on children’s school attendance and health checkups. (66,89,90) In 2018, 16 municipalities were incorporated into the Financial and Productive Inclusion component of the strategy, which aims to engage local governments in pursuing the goals of the strategy. (91) The EU contributed \$11 million in 2018 to support the strategy in 2019. (92)
School Prevention and Security Plan†	Programs implemented by MINED, the Ministry of Justice and Public Security, and the PNC in schools with high levels of violence. Includes activities such as provision of psychological help, online classes, skills workshops for youth, and increased police patrols. (94,95) In 2018, MINED opened 76 training centers and accelerated learning centers targeting secondary school students. (1)

† Program is funded by the Government of El Salvador.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (1,5,9,95-99)

Although the government implements several programs to reduce the worst forms of child labor by assisting poor families and school children, research found no evidence that the government has programs that assist child laborers who may not be living with their families and not attending school, such as children engaged in domestic work.

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 El Salvador (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work from 14 years to the age up to which education is compulsory.	2018
Enforcement	Publish or make publicly available the labor inspectorate’s level of funding.	2018
	Provide sufficient funding and resources to the Ministry of Labor and Social Welfare and criminal law enforcement agencies to fully enforce child labor laws, including in the informal sector.	2010 – 2018
	Ensure that the labor inspectorate has the resources to adequately investigate all cases of child labor, including in the informal sector, and increase the number of labor inspectors to meet the ILO’s technical advice.	2018
	Ensure that all inspectors receive regular refresher training and training on new laws related to the worst forms of child labor.	2018

SIGNIFICANT ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that penalties are imposed, and publish information about fines collected for child labor violations.	2015 – 2018
	Establish monetary penalties for child labor violations that are proportionate to the nature and seriousness of the offense.	2009 – 2018
	Improve coordination between the National Civilian Police and the Attorney General in their investigation and prosecution of criminal cases related to the worst forms of child labor.	2014 – 2018
Coordination	Document and publish information regarding actions taken by the National Committee for the Eradication of Child Labor and the Departmental and Local Committees for Children's and Adolescents' Rights.	2018
	Develop information-sharing capabilities to improve coordination among criminal investigative agencies.	2018
Government Policies	Integrate child labor elimination and prevention strategies into the National Youth Policy for 2010–2024.	2014 – 2018
Social Programs	Collect and publish government statistics evaluating the impact of collaborative projects targeting child labor in sugarcane production.	2016 – 2018
	Remove barriers to education, such as birth registration requirements, and ensure access for all children, including students of indigenous descent.	2011 – 2018
	Implement programs to address child labor for children not living with their parents, such as child labor in domestic work.	2017 – 2018

REFERENCES

- U.S. Embassy- San Salvador. Reporting. February 4, 2019.
- Corado, Ileana. La erradicación del trabajo infantil, una deuda pendiente. *Contrapunto*, April 21, 2014. Source on file.
- UN General Assembly. Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, on her mission to El Salvador. A/HRC/33/46/Add.1. August 3, 2016. <http://www.refworld.org/docid/57cd80fa4.html>.
- U.S. Department of State. Trafficking in Persons Report- 2017: El Salvador. Washington, DC, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/el-salvador/>.
- U.S. Embassy- San Salvador. Reporting. March 1, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed December 16, Accessed March 3, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta de Hogares de Propósitos Múltiples (EHPM), 2015. Analysis received December 15, Analysis received January 12, 2018. Please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- San Salvador. Reporting. February 28, 2014.
- U.S. Embassy- San Salvador. Reporting. January 20, 2016.
- ILO and DIGESTYC. Magnitud y características del trabajo infantil en El Salvador 2015: Resultados del módulo sobre trabajo infantil de la Encuesta de Hogares de Propósitos Múltiples (EHPM) de 2015. Organización Internacional del Trabajo, Servicio de principios y derechos fundamentales en el trabajo (FUNDAMENTALS), Dirección General de Estadística y Censos de El Salvador (DIGESTYC). 2016. http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_28595/lang-es/index.htm.
- Government of El Salvador. Respuesta a Cuestionario del Departamento de Trabajo de los Estados Unidos sobre Trabajo Infantil y Trabajo Forzoso. May 3, 2013. Source on file.
- ILO-IPEC. Síntesis - Diagnóstico de situación del trabajo infantil y sus peores formas en El Salvador. 2009. Source on file.
- U.S. Embassy- San Salvador. Reporting. January 16, 2018.
- Flores, Ricardo. Dos niños quemados tras explosión de cohetería. *La Prensa Grafica*, December 24, 2014. <http://www.laprensagrafica.com/2014/12/24/dos-nios-quemados-tras-explosion-de-coheteria>.
- Instituto Salvadoreño para el Desarrollo Integral de la Niñez y la Adolescencia (ISNA) Situación del trabajo infantil en el municipio de Juayúa. San Salvador, ISNA and ILO, 2012. Source on file.
- Unimer El Salvador. Diagnóstico socioeconómico de niños y niñas del municipio de San Salvador en conexión con la calle. 2016. Source on file.
- Peñate, Susana. El reto de erradicar trabajo infantil: OIT. *La Prensa Gráfica*, June 12, 2015. <http://www.laprensagrafica.com/2015/06/12/el-reto-de-erradicar-trabajo-infantil-oit>.
- Dirección General de Estadística y Censos (DIGESTYC). Encuesta de Hogares de Propósitos Múltiples 2016. <http://www.digestyc.gob.sv/index.php/temas/des/ehpm/publicaciones-ehpm.html?download=616:publicacion-ehpm-2016>.
- Stinchcomb, Dennis, and Hershberg, Eric. Unaccompanied Migrant Children from Central America: Context, Causes, and Responses. CLALS Working Paper Series No. 7 (2014). http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2524001.
- UN Human Rights Council. Written statement submitted by Human Rights Advocates Inc., a non-governmental organization in special consultative status A/HRC/28/NGO/29. February 19, 2015. <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/28/NGO/29&Lang=E>.
- Albaladejo, Angelika. No Life Here: Internal Displacement in El Salvador. Latin America Working Group, February 18, 2016. <http://lawg.org/action-center/lawg-blog/69-general/1588-no-life-here-internal-displacement-in-el-salvador>.
- Dirección General de Estadística y Censos (DIGESTYC). Encuesta de Hogares de Propósitos Múltiples 2013. 2014. <http://www.digestyc.gob.sv/index.php/temas/des/ehpm/publicaciones-ehpm.html>.
- ILO-IPEC. Niños, Niñas y Adolescentes Migrantes Trabajadores en Zonas Fronterizas en Centroamérica y Panamá. November 2014.

- <http://www.ilo.org/ipeinfo/product/viewProduct.do?productId=25695>.
- 24 Dirección General de Estadística y Censos (DIGESTYC). Encuesta de Hogares de Propósitos Múltiples, 2014. 2015. <http://www.digestyc.gov.sv/index.php/temas/des/ehpm/publicaciones-ehpm.html?download=559:publicacion-ehpm-2014>.
 - 25 UL. The Sugar Association of El Salvador Case Study. 2013. https://www.ul.com/consumer-retail-services/wp-content/uploads/2016/10/EN_US_RS_CaseStudy_Sugar-Association-of-El-Salvador_JAN-2014_LT_WEB.pdf.
 - 26 Valle, Alejandra. Trabajo infantil en caña de azúcar disminuyó en 91.3 %. La Prensa Gráfica, June 29, 2015. <http://www.laprensagrafica.com/2015/06/29/trabajo-infantil-en-caa-de-azucar-disminuyo-en-913>.
 - 27 Inter Press Service. Los niños trabajadores salen de los cañaverales salvadoreños. March 26, 2015. <http://www.ipsnoticias.net/2015/03/los-ninos-trabajadores-salen-de-los-cañaverales-salvadorenos/>.
 - 28 U.S. Embassy- San Salvador. Reporting. January 30, 2017.
 - 29 El Mundo. Simeduco denuncia acoso de pandillas y falta de presupuesto. March 17, 2015. <http://simeduco.org/noticias/simeduco-denuncia-acoso-de-pandillas-y-falta-de-presupuesto/>.
 - 30 Chávez, Gerson and Garcia, Enrique. Estudiantes abandonan escuela ante supuestas amenazas. El Mundo, March 18, 2015. Source on file.
 - 31 La Página. Pandilleros de Apopa reclutan a niños desde cuarto grado. September 30, 2013. Source on file.
 - 32 Moloney, Anastasia. Schoolchildren, Teachers at Mercy of Gangs in Violent El Salvador. September 17, 2015. <http://www.reuters.com/article/2015/09/17/us-el-salvador-education-violence-idUSKCN0RH14M20150917>.
 - 33 Consejo Nacional de Educación (CONED). Plan El Salvador Educado - Por el derecho a una educación de calidad. 2016. https://www.mined.gob.sv/jdownloads/Institucional/Plan_El_Salvador_Educado.compressed.pdf.
 - 34 Government of El Salvador. Constitución de la República de El Salvador (with reforms until 2009). Enacted: 1983. https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117_072857074_archivo_documento_legislativo.pdf.
 - 35 Government of El Salvador. Código de Trabajo, No. 15. Enacted: June 23, 1972. https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117_072951854_archivo_documento_legislativo.pdf.
 - 36 Government of El Salvador. Ley de Protección Integral de la Niñez y la Adolescencia. Enacted: 2009. <https://www.asamblea.gob.sv/sites/default/files/documents/decretos/FC3868B6-5FEA-440B-9949-414222C42FFD.pdf>.
 - 37 Government of El Salvador. Acuerdo No. 241. Enacted: July 8, 2011. Source on file.
 - 38 Government of El Salvador. Ley Especial Contra la Trata de Personas, No. 824. Enacted: November 14, 2014. <http://www.sipi.siteal.iipe.unesco.org/normativas/1321/decreto-no-8242014-ley-especial-contra-la-trata-de-personas>.
 - 39 Government of El Salvador. Código Penal (with modifications until 2010), No. 1030. Enacted: June 15, 1974. http://www.oas.org/dil/esp/Codigo_Penal_El_Salvador.pdf.
 - 40 Government of El Salvador. Ley del Servicio Militar y Reserva de la Fuerza Armada, No. 298 de 1992. Enacted: July 30, 1992. <http://www.refworld.org/docid/4c73c69d2.html>.
 - 41 Government of El Salvador. Decree N. 298. Enacted August 10, 1992 https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117_072922265_archivo_documento_legislativo.pdf.
 - 42 Government of El Salvador. Decreto No. 458 - Ley de Proscripción de Maras, Pandillas, Agrupaciones, Asociaciones y Organizaciones de Naturaleza Criminal. Enacted: September 10, 2010. https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117_073001876_archivo_documento_legislativo.pdf.
 - 43 Government of El Salvador. Ley General de Educación, No. 917. Enacted: 1996. http://www.sipi.siteal.iipe.unesco.org/sites/default/files/sipi_normativa/el_salvador_decreto_nro_917_1996.pdf.
 - 44 Ministerio de Trabajo y Prevision Social (MTPS). Presentación de Toda La Estructura Institucional del Ministerio de Trabajo y Previsión Social. 2017. <https://www.transparencia.gob.sv/instituciones/mtps/documents/209718/download>.
 - 45 Flores, Henry. Consejo Nacional contra la Trata de Personas pide a población denunciar casos. Transparencia Activa, September 5, 2014. <http://www.transparenciaactiva.gob.sv/consejo-nacional-contra-la-trata-de-personas-pide-a-poblacion-denunciar-casos/>.
 - 46 Instituto Salvadoreño para el Desarrollo Integral de la Niñez y la Adolescencia (ISNA). Competencias de Trabajo. 2016. http://www.isna.gob.sv/ISNANEW/?page_id=144.
 - 47 Ministerio de Trabajo y Prevision Social (MTPS). Anuario Estadístico 2017. <http://www.mtps.gob.sv/wp-content/uploads/descargas/InformesEstadisticos/mtps-anuario-estadistico-2017.pdf>.
 - 48 U.S. Embassy- San Salvador official. Email communication to USDOL official. July 11, 2019.
 - 49 CIA World Fact Book. Central America: El Salvador https://www.cia.gov/library/publications/the-world-factbook/geos/print_es.html.
 - 50 U.S. Embassy- San Salvador official. Email communication to USDOL official. May 22, 2017.
 - 51 U.S. Embassy- San Salvador official. Email communication to USDOL official. May 26, 2016.
 - 52 Ministerio de Trabajo y Prevision Social (MTPS). Se reactiva Comité Nacional para la Erradicación de las Peores Formas de Trabajo Infantil. November 13, 2014. <http://www.mtps.gob.sv/noticias/se-reactiva-comite-nacional-para-la-erradicacion-de-las-peores-formas-de-trabajo-infantil/>.
 - 53 Ministerio de Trabajo y Prevision Social (MTPS). Lanzamiento de Sistema de Monitoreo y Evaluación del Trabajo Infantil. June 28, 2013. Source on file.
 - 54 Ministerio de Trabajo y Prevision Social (MTPS). Ministro Centeno preside reunión del Comité Nacional Erradicación Trabajo Infantil. May 29, 2013: Press Release. Source on file.
 - 55 Government of El Salvador. Decreto No. 90. Enacted: August 26, 2011. Source on file.
 - 56 U.S. Embassy- San Salvador. Reporting. February 17, 2015.
 - 57 Consejo Nacional de la Niñez y de la Adolescencia (CONNA). Quienes Somos. January 16, 2012. Source on file.
 - 58 Consejo Nacional de la Niñez y de la Adolescencia (CONNA). Política Nacional de Protección Integral de la Niñez y de la Adolescencia en El Salvador. May 16, 2013. http://asp.salud.gob.sv/regulacion/pdf/politicas/politica_nacional_pnpna.pdf.
 - 59 Consejo Nacional de la Niñez y de la Adolescencia (CONNA). 20 Municipios de El Salvador cuentan con Comités Locales de Derechos de la Niñez y de la Adolescencia. September 22, 2015. <http://www.conna.gob.sv/?p=1239>.
 - 60 Consejo Nacional de la Niñez y de la Adolescencia (CONNA). Avanza proceso de instalación de Comités Locales de Derechos en Municipios. November 18, 2014. <http://www.conna.gob.sv/?p=769>.
 - 61 Consejo Nacional de la Niñez y de la Adolescencia (CONNA). CONNA inauguró Junta de Protección de la Niñez y de la Adolescencia Dos en el departamento de San Salvador. March 21, 2014. <http://www.conna.gob.sv/?p=1115>.
 - 62 Ministerio de Trabajo y Prevision Social (MTPS). Hoja de ruta para hacer de El Salvador un país libre de trabajo infantil y sus peores formas - Programación 2015 – 2017. 2015. http://white.lim.ilo.org/ipecc/documentos/hoja_ruta_els.pdf.

SIGNIFICANT ADVANCEMENT

- 63 Government of El Salvador. Gobierno Salvadoreño Presenta Estrategia Nacional Para el Desarrollo Integral de La Primera Infancia. September 5, 2018.
<http://www.conna.gob.sv/?p=3224>.
- 64 Consejo Nacional de la Niñez y de la Adolescencia (CONNA). Plan Nacional de Acción de la Política Nacional de Protección Integral de la Niñez y de la Adolescencia, 2014-2017. December 2015.
http://asp.salud.gob.sv/regulacion/pdf/politicas/politica_nacional_pnpna.pdf.
- 65 Consejo Nacional de la Niñez y de la Adolescencia (CONNA). CONNA presentó Plan Nacional de Acción 2014-2017, de la Política Nacional de Protección Integral de la Niñez y de la Adolescencia. December 15, 2015.
<http://www.conna.gob.sv/?p=1281>.
- 66 UCW. Entendiendo los Resultados del Trabajo Infantil y el Empleo Juvenil en El Salvador. June 2013.
http://www.ucw-project.org/attachment/trabajo_infantil_empleo_juvenil_el_Salvador_201320130912_132756.pdf.
- 67 Government of El Salvador. Política Nacional contra la Trata de Personas de El Salvador. 2012.
[http://tbinternet.ohchr.org/Treaties/CMW/Shared Documents/SLV/INT_CMW_ADR_SLV_16594_S.doc](http://tbinternet.ohchr.org/Treaties/CMW/Shared%20Documents/SLV/INT_CMW_ADR_SLV_16594_S.doc).
- 68 The White House - Office of the Press Secretary. Fact Sheet: Support for the Alliance for Prosperity in the Northern Triangle. March 3, 2015.
<https://www.whitehouse.gov/the-press-office/2015/03/03/fact-sheet-support-alliance-prosperity-northern-triangle>.
- 69 Inter-American Development Bank. Presidentes de El Salvador, Guatemala y Honduras presentan plan de Alianza para Prosperidad en Triángulo Norte. November 14, 2014.
<http://www.iadb.org/es/noticias/comunicados-de-prensa/2014-11-14/presidentes-del-triangulo-norte-presentan-plan,10987.html>.
- 70 Governments of El Salvador, Guatemala, and Honduras. Plan of the Alliance for Prosperity in the Northern Triangle: A Road Map. September 2014.
<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=39224238>.
- 71 Government of Guatemala and Government of El Salvador. Memorandum de Entendimiento entre la República de El Salvador y la República de Guatemala para la Protección de las Víctimas de la Trata de Personas y del Tráfico Ilícito de Migrantes. 2011.
https://www.oas.org/dil/esp/Memorandum_de_Entendimiento_Guatemala_El_Salvador_Trata_de_Persona.pdf.
- 72 Ministerio de Trabajo y Prevision Social (MTPS). Renovación del convenio de cooperación para la erradicación del trabajo infantil en caña de azúcar. June 29, 2015.
<http://www.mtps.gob.sv/noticias/renovacion-del-convenio-de-cooperacion-para-la-erradicacion-del-trabajo-infantil-en-cana-de-azucar/>.
- 73 U.S. Embassy- San Salvador official. Email communication to USDOL official. June 26, 2018.
- 74 UNDAF MEMORANDUM DE ENTENDIMIENTO: Marco de Asistencia de las Naciones Unidas para el Desarrollo - UNDAF 2016-2020. 2015.
https://www.unicef.org/about/execboard/files/El_Salvador_DPDCPSLV3_UNDAF_2016-2020-FINAL-13_05_2015.pdf.
- 75 Government of El Salvador. Plan Quinquenal de Desarrollo (2014-2019).
<http://www.presidencia.gob.sv/wp-content/uploads/2015/01/Plan-Quinquenal-de-Desarrollo.pdf>.
- 76 La Tribuna. Asociación azucarera y gobierno buscan erradicar trabajo infantil en El Salvador. June 29, 2015.
<http://www.latribuna.hn/2015/06/29/asociacion-azucarera-y-gobierno-buscan-erradicar-trabajo-infantil-el-salvador/>.
- 77 Belloso, Mariana. Constructoras Buscan Prevenir Trabajo Infantil. La Prensa Gráfica, April 24, 2015.
<http://www.laprensagrafica.com/2015/04/24/constructoras-buscan-prevenir-trabajo-infantil>.
- 78 Ministerio de Relaciones Exteriores de Colombia. Colombia y El Salvador unen esfuerzos para prevenir y enfrentar la trata de personas. September 27, 2013.
<http://www.cancilleria.gov.co/newsroom/news/colombia-y-salvador-unen-esfuerzos-prevenir-y-enfrentar-la-trata-personas>.
- 79 Government of El Salvador. MTPS organiza foro: Acciones realizadas en torno a la erradicación del trabajo infantil. July 5, 2018.
<http://www.mtps.gob.sv/noticias/mtps-organiza-foro-acciones-realizadas-torno-la-erradicacion-del-trabajo-infantil/>.
- 80 Government of El Salvador. Política Nacional de Juventud 2010-2024 y Plan Acción 2010-2014. August 2010. Source on file.
- 81 U.S. Embassy- San Salvador. Reporting. February 13, 2017.
- 82 National Council for Children and Adolescents (CONNA) Acuerdo I, Reglamento Programas de Atención Niñez, Adolescencia. 2017.
<http://www.diariooficial.gob.sv/diarios/do-2017/04-abril/28-04-2017.pdf>.
- 83 Catholic Relief Services. Youth Pathways - Central America Project Summary. 2017.
<https://www.dol.gov/agencies/ilab/youth-pathways-central-america>.
- 84 ILO. Global Research on Child Labor Measurement and Policy Development (MAP) - Project Summary. 2013.
https://www.dol.gov/ilab/projects/summaries/GlobalResearchMAP_FY13.pdf.
- 85 US Department of Labor. Leveraging Data to Build and Efficient Labor Market in the Northern Triangle.
<https://www.dol.gov/agencies/ilab/leveraging-data-build-efficient-labor-market-northern-triangle>.
- 86 U.S. Embassy- San Salvador. Reporting. January 8, 2015.
- 87 Consejo Nacional de la Niñez y de la Adolescencia (CONNA). CONNA participa en pre lanzamiento de campaña de prevención de lesiones por polvora. October 1, 2017.
<http://www.conna.gob.sv/?p=2951>.
- 88 Ventura, Ana Maria. Lanzan campaña para sensibilizar sobre el riesgo del uso de la pólvora. Radio Nacional de El Salvador, November 19, 2014.
<http://www.radionacional.gob.sv/2014/11/19/lanzan-campana-para-sensibilizar-sobre-el-riesgo-del-uso-de-la-polvora/>.
- 89 Secretaria Técnica y Planificación. Familias Sostenibles. 2017.
<http://www.secretariatecnica.gob.sv/familias-sostenibles/>.
- 90 Fondo de Inversión Social para el Desarrollo Local de El Salvador. FISDL asume con el mayor de los compromisos el reto de ser la principal institución ejecutora de la estrategia familias sostenibles. November 20, 2017.
<http://www.fisd.gov.sv/novedades/ciudadano/11083-fisd-asume-con-el-mayor-de-los-compromisos-el-reto-de-ser-la-principal-institucion-ejecutora-de-la-estrategia-familias-sostenibles#.WteY3KjwaUk>.
- 91 Government of El Salvador. Gobierno Apoyara Población Emprendedora de 16 Municipios del País a Traves de Inclusión Financiera. June 26, 2018.
<http://www.secretariatecnica.gob.sv/gobierno-apoyara-poblacion-emprendedora-de-16-municipios-del-pais-a-traves-de-inclusion-financiera/>.
- 92 Rivas, Violeta. Unión Europea entrega segundo desembolso de ayuda social al país El Salvador.com December 20, 2018.
<https://www.elsalvador.com/noticias/nacional/union-europea-entrega-segundo-desembolso-de-ayuda-social-al-pais/551240/2018/>.
- 93 Asamblea Legislativa de El Salvador. Incorporan recursos para Programa de Comunidades Solidarias en El Salvador. August 17, 2016.
<https://www.asamblea.gob.sv/node/2747>.
- 94 Ministerio de Educación. Plan de Prevención y Seguridad Escolar en Chalatenango. March 4, 2014.
<http://www.mined.gob.sv/index.php/zona-de-contrataciones-institucionales/item/6824-plan-de-prevencion-y-seguridad-escolar-en-chalatenango.html>.
- 95 Ministerio de Educación. Consejo Nacional de Seguridad anuncia la realización de la Semana por la seguridad y la convivencia ciudadana. November 1, 2017.
<http://www.mined.gob.sv/index.php/noticias/item/9106-consejo-nacional-de-seguridad-anuncia-la-realizacion-de-la-semana-por-la-seguridad-y-la-convivencia-ciudadana>.
- 96 Alvarado, Teresa. Programa de Escuelas a Tiempo Pleno se extiende a 2,285 centros educativos. Transparencia Activa, July 25, 2014.

<http://www.transparenciaactiva.gob.sv/programa-de-escuelas-a-tiempo-pleno-se-extiende-a-2285-centros-educativos/>.

- 97 Ministerio de Educacion. Convenio para el beneficio de niñez y adolescencia. June 3, 2015.
<http://www.mined.gob.sv/index.php/noticias/item/7560-convenio-para-el-beneficio-de-niñez-y-adolescencia>.
- 98 Díaz, Juan Carlos. Insisten en prevenir la migración de los centroamericanos a EUA. La Prensa Grafica. May 5, 2017.
<http://www.laprensagrafica.com/2016/10/18/lanzan-campaa-para-prevenir-la-migracion-irregular>.
- 99 United Nations Office on Drugs and Crime. El Salvador joins UNODC's Blue Heart campaign to end human trafficking. 2017.
<https://www.unodc.org/unodc/en/frontpage/2017/November/el-salvador-joins-unodcs-blue-heart-campaign-to-end-human-trafficking.html?ref=fs1>.

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2018, Eritrea is receiving an assessment of no advancement. Although Eritrea made some efforts to eliminate the worst forms of child labor, government officials were complicit in the use of forced child labor in agriculture and military training. The government conducted 985 labor inspections during the year and provided education services to 8,575 out-of-school children in rural and remote areas. However, Eritrea is receiving this assessment because it continued to force students in grade 12, some of whom are under the age of 18, to participate in military training elements of the government's compulsory national service program, as well as forced agricultural labor. Evidence collected suggests that the national program called Maetot, in which children engage in compulsory labor in agricultural, environmental, and hygiene-related public works projects, did not take place during the reporting period due to financial constraints preventing implementation. However, Maetot remains an integral component of the government's national service framework. The government does not make law enforcement data publicly available and national laws and regulations do not identify hazardous occupations or activities prohibited for children. In addition, the government does not have a mechanism to coordinate its efforts to address the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Eritrea engage in the worst forms of child labor, including in forced military training associated with national service and forced agricultural labor. Table 1 provides key indicators on children's work and education in Eritrea. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		45.3

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (1)
Data were unavailable from International Labor Organization's analysis, 2019. (2)

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	Farming, activities unknown (3,4)
	Herding livestock (3-6)
Industry	Small-scale manufacturing (7)
	Mining, including gold (8)
Services	Domestic work, fetching water and firewood (4,7)
	Working in auto mechanic shops, bicycle repair shops, tea and coffee shops, metal workshops, grocery stores, the Asmara bowling alley, and open markets (3,5,7,9,10)
	Street work, including vending, cleaning cars, and begging (4,5,11)

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Compulsory participation in national service or military training associated with national service prior to age 18, and in agricultural and domestic work (12-16, 54) Forced labor, including in begging (12)

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

The Ministry of Education operates a national mandatory Summer Work Program, known locally as *Maetot*, under which children from grades 9–12 who may be younger than age 18 are required to engage in compulsory labor in public works projects and on government farms, including tree planting, terracing, traffic safety campaigns, and water security activities, during their summer holidays. (9, 12, 14, 54) Some children may be required to work on roads, dams, canals, and irrigation projects. (14, 54) Children who do not participate in *Maetot* are charged fines. Students who do not pay fines are not permitted to enroll in the next academic year. (54) According to the government, the *Maetot* program did not take place in 2018 due to budgetary constraints, despite continuing to be a part of the education system in Eritrea. (9)

The Proclamation on National Service No. 82/1995 establishes compulsory military training and service, known as Active National Service, for all citizens ages 18 to 40. (15) To graduate from high school and meet the compulsory training component of National Service, students are required to complete their final year of schooling (grade 12) at the Warsai Yekalo Secondary School located at the Sawa military complex. Each year between 11,000 to 15,000 students enter grade 12 at Sawa, and while many of these students have typically reached age 18, some are reportedly as young as age 16. (12, 15–18, 54) Research suggests that at least half of the year spent at Sawa is devoted to mandatory military training, which includes military discipline and procedures, weapons training, a survival exercise, and a 2- to 4-week war simulation. (17, 19, 54) Some students are forced to conduct both agricultural activities on government-owned farms and construction on military housing, in addition to their military training. Girls are particularly vulnerable to exploitation and may be subject to forced domestic work, sexual violence, and concubinage in military training centers, including Sawa. (14, 54) In addition, conscientious objectors, including young Jehovah’s Witnesses, are not given an alternative to military service and are prevented from receiving a high school diploma, which leaves them vulnerable to becoming involved in child labor. (20)

The uncertain length of service, inability to earn higher wages in the private sector without completion of national service assignments, and notoriously harsh conditions at Sawa, and in some national service assignments provoked a significant number of youth, including unaccompanied minors, to flee Eritrea and may have also encouraged many to resort to the use of international smuggling or human trafficking networks. (3, 12, 16, 17, 21–24, 54) Adolescent children, some as young as age 14, who attempted to leave Eritrea were sometimes detained or forced to undergo military training, despite being younger than the minimum age of 18 for compulsory military recruitment. (3, 12, 17, 25, 54) In addition, the military periodically conducts roundups, known as *giffas*, to perform identity checks. There have been reports that *giffas* have resulted in the imprisonment of children alleged to be attempting to evade compulsory National Service, and the forced underage recruitment of children into the military. (13, 26, 54)

Children, particularly in some rural areas, face difficulty accessing education due to a shortage of schools and the inability to afford uniforms, supplies, and transportation. (4, 9, 19, 27–29) Many teachers in Eritrea are recruited through the National Service system. Teachers forced to teach as part of National Service are frequently absent or flee the country, negatively impacting student education. (54) In addition, there is a lack of sufficiently trained teachers, particularly in rural areas where nomadic groups live. However, the government does assign teachers to travel with nomadic groups to facilitate access to education for nomadic children. (9) In 2018, the government assisted 117 children with physical disabilities in accessing education by providing the children with saddled donkeys that they used to ride to school. (4) Somali refugees living in Eritrea face additional obstacles

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

to accessing education due to language barriers between government-trained teachers and a lack of qualified Somali-speaking teachers. Middle and high school education is conducted in English, which creates an additional language barrier for Somali refugee children. (9)

The government did not collect or publish data on child work, child labor, or the worst forms of child labor during the reporting period. (9)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Eritrea 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 Eritrea's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Article 68 of the Labor Proclamation (30)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Articles 108(c), 297, and 316 of the Penal Code (31)
Prohibition of Child Trafficking	Yes		Articles 297, 315–318 of the Penal Code (31)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 305–306 and 313–318 of the Penal Code (31)
Prohibition of Using Children in Illicit Activities	No		Articles 390–392 of the Penal Code (31)
Minimum Age for Voluntary State Military Recruitment	No		
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 7–8 of the Proclamation on National Service (15)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 109(e) and 111(b) of the Penal Code (31)
Compulsory Education Age	Yes	14‡	
Free Public Education	No		Article 21 of the Constitution (32)

‡ Age calculated based on available information (33-35)

In May 2015, the government announced that it was considering the establishment of a new Criminal Code that contains prohibitions on the commercial sexual exploitation of children. It is not clear whether the 2015

Eritrea

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Criminal Code is fully in effect or remains to be fully implemented. (19,36,37) Laws regarding the commercial sexual exploitation of children are insufficient because the use of a child for prostitution is not criminally prohibited. (38)

The law’s minimum age protections do not apply to children working outside formal employment relationships, such as those who are self-employed. (30,39) Article 69 of the Labor Proclamation authorizes the Minister of Labor to issue a list of activities prohibited to children under age 18; however, the government has not determined by national law or regulation the types of hazardous work prohibited for children. (30,40) Laws related to the use of children in illicit activities are not sufficient because offering and procuring a child for the production and trafficking of drugs are not criminally prohibited. (38) Minimum age for voluntary military service is not applicable to Eritrea because all citizens ages 18 to 40 have the compulsory duty of performing Active National Service under the Proclamation on National Service No. 82/1995. (15)

Although it does not appear that there are any laws that provide free basic education, several of the government’s policies call for the provision of free and compulsory basic education to all children including, the Education Sector Development Plan, the National Education Policy, and the Comprehensive National Child Policy. (48, 49, 50).

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 Human Welfare that may hinder adequate enforcement, including the lack of financial resource allocation, complaint mechanisms, and referral mechanisms.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Human Welfare	Enforces labor laws and investigates labor abuses, including child labor. (18,36) According to the government, child labor inspectors operate in every administrative zone. (41)
Citizen Militia	Performs night patrols and refers cases of commercial sexual exploitation of children or other exploitative practices to the Eritrean police. (42)
Eritrean Police	Enforces laws and investigates referred cases of child trafficking and commercial sexual exploitation of children. (42)
National Security Administration	Works with the Eritrean police to combat the commercial sexual exploitation of children. (43)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Eritrea took actions to combat child labor (Table 6). However, gaps exist within the operations of the labor law enforcement agencies that may hinder adequate labor law enforcement.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown (9)
Number of Labor Inspectors	Unknown	Unknown (9)
Inspectorate Authorized to Assess Penalties	Unknown	Unknown (44)
Initial Training for New Labor Inspectors	Unknown	Yes (9)
Training on New Laws Related to Child Labor	Unknown	Yes (9)
Refresher Courses Provided	Unknown	Yes (9)
Number of Labor Inspections Conducted	Unknown	985 (9)
Number Conducted at Worksite	Unknown	985 (9)

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Number of Child Labor Violations Found	Unknown	0 (9)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	N/A (9)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	N/A (9)
Routine Inspections Conducted	Unknown	Yes (9)
Routine Inspections Targeted	Unknown	Unknown (9)
Unannounced Inspections Permitted	Unknown	Unknown (9)
Unannounced Inspections Conducted	Unknown	Unknown (19)
Complaint Mechanism Exists	Unknown	Unknown (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown (9)

Although research was unable to determine whether reciprocal referral mechanisms exist between labor authorities and social services, the government maintains that penalties for labor violations are assessed in coordination with labor inspectors, administrators, and the police. (9) Although the exact number of labor inspectors is unknown, research indicates that the existing number of labor inspectors is likely insufficient for the size of Eritrea's workforce, which includes approximately 2.7 million workers. (45) According to the ILO's technical advice ratio approaching 1 inspector for every 40,000 workers in less developed economies, Eritrea would employ about 68 labor inspectors. (45-47) Inadequate resources, including transportation to remote areas, hinder government efforts to combat child labor. In 2018, the government trained 20 labor inspectors, including 8 newly hired inspectors. (9)

Criminal Law Enforcement

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

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Unknown (9)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Yes (9)
Refresher Courses Provided	Unknown	Yes (9)
Number of Investigations	Unknown	Unknown (19)
Number of Violations Found	Unknown	0 (9)
Number of Prosecutions Initiated	Unknown	0 (9)
Number of Convictions	Unknown	0 (9)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (19)	0 (19)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Unknown (9)

The National Service Proclamation sets the minimum age for compulsory military training at age 18. Despite evidence that children younger than age 18 are forced to participate in military training, research did not identify measures taken by the government in 2018 to enforce minimum age provisions for compulsory military training. (54) There have been reports that senior military officers have allegedly been involved in the trafficking of children. (26) Research was unable to determine whether authorities have investigated these allegations.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

Research found no evidence that the government has established mechanisms to coordinate its efforts to address child labor.

Eritrea

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2018, the government announced the formation of 5 national and 43 community-level committees focused on children’s rights. Research has found that the mandate of the committees is focused on reducing female genital mutilation and child marriage and does not extend to efforts to address child labor. (9)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 8). However, policy gaps exist that hinder efforts to address child labor, including adoption and implementation.

Table 8. Key Policies Related to Child Labor

Policy	Description
Comprehensive National Child Policy	Aims to address causes of child labor through conducting studies and assessments on the nature and conditions of child labor; designing advocacy and public awareness campaigns to sensitize on the worst forms of child labor; and empowering communities and the public sector to monitor and prevent child labor from occurring. (48) The policy also calls for the provision of free and compulsory basic education to all children irrespective of gender, sex, ethnicity, religion and disability. (48) Research was unable to determine whether activities were undertaken to implement the Comprehensive National Child Policy during the reporting period.
Education Sector Development Plan (2018–2021)†	Establishes 8 years of free and compulsory education for all children. (49) The government began implementing the Education Sector Development Plan during the reporting period. (52)

† 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. (50)

The government’s compulsory military training requirement as a part of national service for students in grade 12 may inhibit efforts to combat the worst forms of child labor for all those wishing to obtain high school diplomas. (20)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 9). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

Table 9. Key Social Programs to Address Child Labor

Program	Description
Complementary Elementary Education†	Government program created as the result of the Education Sector Development Plan that addresses the educational needs of out-of-school children ages 9 to 14 in remote and rural areas. Condenses 5 years of elementary education into a 3-year program to allow students to either mainstream into formal education at the secondary level or access vocational education. (4,19,49) In the 2017–2018 school year, the program served 8,575 children. (4)
Enhancing Equitable Access to Quality Basic Education (2014–2018)	\$25.3 million UNICEF-funded grant that aims to support the Ministry of Education to increase access to basic education for at least 39,026 out-of-school children. (28) During the reporting period, 18,880 out-of-school-children from nomadic and semi-nomadic communities were provided education through temporary learning spaces. In addition, 790 kindergarten teachers, directors, and child caregivers were provided in-service training on the national Early Learning and Development Standards, and the revised Early Childhood Care and Education curriculum. (29)
UNICEF Country Program (2017–2021)	\$31 million UNICEF-funded program, in collaboration with the government, which expands access to quality basic education for all children, and protects children from violence, exploitation, and abuse. (51,52) During the reporting period, disbursed \$3.9 million to expedite construction of classrooms in the Anseba and Northern Red Sea regions. (29)

† Program is funded by the Government of Eritrea.

Research found no evidence of programs that target children working in agriculture, domestic work, and street work, or that specifically address the worst forms of child labor.

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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 Eritrea (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a minimum age for hazardous work and determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2015 – 2018
	Ensure that all children are protected by minimum age laws, including those who are self-employed.	2010 – 2018
	Criminally prohibit the use of a child for prostitution.	2014 – 2018
	Criminally prohibit procuring and offering a child for the production and trafficking of drugs.	2013 – 2018
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Establish by law free basic public education.	2018
Enforcement	Publish information on labor inspectorate funding and number of inspectors, number of violations in which penalties were imposed and collected, number of routine inspections targeted, and whether a complaint mechanism, and a reciprocal referral mechanism is in place, as well as whether initial criminal training for new employees is provided.	2009 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018
	Establish mechanisms to ensure that children under age 18 are not forced to participate in compulsory military training.	2018
	Ensure that government officials are not complicit or involved in perpetuating the worst forms of child labor, including human trafficking.	2018
Coordination	Establish coordinating mechanisms to directly address child labor.	2009 – 2018
Government Policies	Ensure that activities are undertaken to implement the Comprehensive National Child Policy.	2009 – 2018
	Ensure that children under age 18 are not placed in military or hazardous labor assignments as part of national service.	2009 – 2018
	Cease requiring children to perform compulsory labor under the <i>Maetot</i> program during the school break.	2009 – 2018
Social Programs	Ensure that all children have access to education by building more schools and removing financial and religious barriers to attendance, as outlined in the 2018 Education Sector Development Plan.	2010 – 2018
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2009 – 2018
	Institute programs to address child labor, including in agriculture, domestic work, and street work, and the worst forms of child labor, including in commercial sexual exploitation.	2009 – 2018

REFERENCES

- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Save the Children. Young Invisible Enslaved: The Child Victims at the Heart of Trafficking and Exploitation in Italy. November 2016. https://www.savethechildren.net/sites/default/files/libraries/young_invisible_enslaved_4_low.pdf.
- Government of Eritrea. 2018 Child Labour Report: Prepared as part of the USA-TDA (20000) Requirements. Asmara. January 11, 2019. Source on file.
- U.S. Department of State official. Reporting. January 24, 2018.
- UN General Assembly Human Rights Council. Report of the Working Group on the Universal Periodic Review: Eritrea. New York. April 18, 2019. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/110/20/PDF/G1911020.pdf?OpenElement>.
- U.S. Department of State. Trafficking in Persons Report- 2014: Eritrea. Washington, DC, June 20, 2014. <https://2009-2017.state.gov/j/tip/rls/tiprpt/2014/index.htm>.
- Haile, Milkias, et al. Adverse Health Effects of Mercury Use on Illegal Gold Miners: A Study in Garasi, Eritrea. *Advances in Biochemistry*, 5(2), (2017). <http://article.sciencepublishinggroup.com/pdf/10.11648.j.ab.20170502.11.pdf>.
- U.S. Department of State. Reporting. February 6, 2019.
- Didier Bizet. Everyday Eritrea: Resilience in the face of repression. *aljazeera.com*, April 21, 2016. <http://www.aljazeera.com/indepth/inpictures/2016/03/everyday-eritrea-resilience-face-repression-160310083414592.html>.
- Makeda Saba. Eritrea, the forced recruitment of street children: how to kill a generation. *munkhafadat.com*. January 17, 2015. <http://munkhafadat.com/en/2015/01/eritrea-the-forced-recruitment-of-street-children-how-to-kill-a-generation/>.

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

- 12 U.S. Department of State. Trafficking in Persons Report- 2018: Eritrea. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/eritrea/>.
- 13 UN General Assembly Human Rights Council. Report of the Special Rapporteur on the situation of human rights in Eritrea: Note by the Secretariat. A/HRC/35/39. July 24, 2017. Source on file.
- 14 UN General Assembly Human Rights Council. Report of the Detailed Findings of the Commission of Inquiry on Human Rights in Eritrea. Report No. A/HRC/29/CRP.1. June 5, 2015. <http://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/ReportColEritrea.aspx>.
- 15 Government of Eritrea. Proclamation of National Service, Proclamation No. 82/1995. Enacted October 23, 1995. <https://www.refworld.org/docid/3dd8d3af4.html>.
- 16 UN General Assembly Human Rights Council. Situation of Human Rights in Eritrea. Report No. A/HRC/RES/29/18. July 22, 2015. Source on file.
- 17 Amnesty International. Just Deserters: Why Indefinite National Service in Eritrea Has Created a Generation of Refugees. December 2, 2015. <https://www.amnesty.org/en/documents/afr64/2930/2015/en/>.
- 18 U.S. Department of State. Reporting. April 17, 2019.
- 19 U.S. Department of State official. Email communication to USDOL official. July 12, 2019.
- 20 UN General Assembly Human Rights Council. Summary of Stakeholders' submissions on Eritrea. New York. November 7, 2018. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/333/89/PDF/G1833389.pdf?OpenElement>.
- 21 Emmanuel Igunza. First risky step in an Eritrean's journey to Europe. BBC.com, July 17, 2015. <http://www.bbc.com/news/world-africa-33525280>.
- 22 Amnesty International. "Eritrea," in Amnesty International Report 2015/16: The State of the World's Human Rights. 2016. <https://www.amnesty.org/en/documents/poi10/2552/2016/en>.
- 23 Médecins Sans Frontières. Dying to Reach Europe: Eritreans in search of safety. 2017. Source on file.
- 24 Eric Reidy. The Eritrean children who cross borders and deserts alone. IRIN, July 27, 2017. <https://www.irinnews.org/feature/2017/07/27/eritrean-children-who-cross-borders-and-deserts-alone>.
- 25 Amnesty International. Eritrea 2016/2017. February 22, 2017. <https://www.amnesty.org/en/countries/africa/eritrea/report-eritrea/>.
- 26 UN General Assembly Human Rights Council. Compilation on Eritrea. New York. November 9, 2018. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/336/28/PDF/G1833628.pdf?OpenElement>.
- 27 U.S. Department of State. Country Reports on Human Rights Practices- 2016: Eritrea. Washington, DC, March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/eritrea/>.
- 28 UNICEF Eritrea. Progress Report to the Global Partnership for Education. February 2018. Source on file.
- 29 UNICEF Eritrea. Progress Report to the Global Partnership for Education. January 2019. Source on file.
- 30 Government of Eritrea. The Labour Proclamation of Eritrea, No. 118/2001. Enacted: 2001. Source on file.
- 31 Government of Eritrea. The Penal Code of the State of Eritrea 2015. Sabur Printing Services. 2015. <https://www.refworld.org/pdfid/55a51ccc4.pdf>.
- 32 Government of Eritrea. The Constitution of Eritrea. May 23, 1997. <http://confinder.richmond.edu/admin/docs/Eritrea1997English.pdf>.
- 33 Education Policy and Data Center. Eritrea. <https://www.epdc.org/country/eritrea>.
- 34 UNESCO. Eritrea- Education System. <http://uis.unesco.org/country/ER>.
- 35 ILO Committee of Experts. Observation (CEACR) - adopted 2017. Published 107th ILC session (2018). https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3338792:NO.
- 36 U.S. Department of State official. Reporting. January 14, 2016.
- 37 U.S. Department of State official. Email communication to USDOL official. January 31, 2018.
- 38 Government of Eritrea. The Penal Code, No. 158 of 1957. Enacted: 1957. Source on file.
- 39 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Eritrea (Ratification: 2000). Published: 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3175515:NO.
- 40 ILO Committee of Experts. Observation concerning Minimum Age Convention, 1973 (No. 138) Eritrea (Ratification: 2000). Published: 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3175511:NO.
- 41 U.S. Department of State official. Email communication to USDOL official. April 26, 2017.
- 42 U.S. Department of State official. Email communication to USDOL official. April 21, 2014.
- 43 U.S. Department of State official. Reporting. February 13, 2015.
- 44 U.S. Department of State. Email communication to USDOL official. March 21, 2019.
- 45 CIA. The World Factbook. Accessed March 2019. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 46 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy. November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 47 UN. World Economic Situation and Prospects 2018 Statistical Annex. New York. 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/WESP2018_Full_Web-1.pdf.
- 48 Government of Eritrea. Comprehensive National Child Policy. February 2013. Source on file.
- 49 Government of Eritrea. Education Sector Plan. February 1, 2018.
- 50 Government of Eritrea. National Education Policy, August 2011. Source on file. <https://www.globalpartnership.org/content/education-sector-plan-eritrea-2018-2022>.
- 51 UN. The Strategic Partnership Cooperation Framework (SPCF) Between The Government of the State of Eritrea and The United Nations 2017-2021. January 2017. <https://www.unicef.org/about/execboard/files/ERITREA-SPCF-2017-2021.pdf>.
- 52 UN Economic and Social Council. Country programme document. July 15, 2016. <https://www.unicef.org/about/execboard/files/2016-PL20-Eritrea-CPD-ODS-EN.pdf>.
- 53 U.S. Department of State official. Email communication to USDOL official. May 16, 2019.
- 54 Human Rights Watch. They Are Making Us into Slaves. August 2019. https://www.hrw.org/sites/default/files/report_pdf/eritrea0819_web.pdf.

In 2018, Eswatini made a moderate advancement in efforts to eliminate the worst forms of child labor. The King signed the Sexual Offenses and Domestic Violence Act, which provides new legal protections for child victims of commercial sexual exploitation. Additionally, the government drafted a revised Employment Act that will expand the authority of labor inspectors and criminalize the non-state recruitment of children. During the reporting period, investigators and officers received refresher training on handling cases of child labor, including the worst forms of child labor. However, children in Eswatini engage in the worst forms of child labor, including in forced domestic work and herding livestock. Significant gaps in the legal framework remain, including a lack of legislation regulating the labor conditions under *Kuhlehla* and other customary practices and a *de facto* compulsory education age that does not meet international standards. In addition, social programs do not adequately address child labor in the agriculture sector.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Eswatini engage in the worst forms of child labor, including in forced domestic work and herding livestock. (1-4) Table 1 provides key indicators on children's work and education in Eswatini. 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	11.7 (35,368)
Attending School (%)	5 to 14	92.5
Combining Work and School (%)	7 to 14	13.0
Primary Completion Rate (%)		85.8

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4, 2010. (6)

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	Growing corn and harvesting sugarcane (2,7)
	Herding livestock, including cattle, buffalo, goats, swine, horses, donkeys, and sheep (2,4,7,8)
Services	Domestic work (2,7,9-11)
	Street work, including as vendors, bus attendants, taxi conductors, porters, and car washers (1-3,9)
Categorical Worst Forms of Child Labor‡	Forced labor in livestock herding, domestic work, farming, and market vending, each sometimes as a result of human trafficking (1,3,12,13)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,7,11,13,14)
	Use in illicit activities, including growing, manufacturing, and selling drugs such as marijuana (4,11)

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

Beginning in 2012, there were reports that local chiefs forced residents, including children, to perform agricultural work and other essential tasks, such as household chores, through the customary practice of *Kuhlehla*, which forces residents to carry out communal work, including in chiefs' houses or fields. (13,15-18) However, in 2018, there were no reports that local chiefs forced residents or children to work. Although anecdotal reports

Eswatini

MODERATE ADVANCEMENT

indicate that chiefs may have used coercion or intimidation in previous years to extract work from residents, including children, research indicates that this practice is rare or nonexistent, and not innate to the customary practice of *Kuhehla*. (13,15,16,19,20)

In 2018, the Government of Eswatini and the ILO published results from the 2014 Survey on Child Labor in Herding in Rural Areas in Eswatini. (8) The results show that an estimated 72,332 child laborers under the age of 15 raise bovines, and 20,680 raise sheep and goats primarily in the rural areas of Hhohho, Manzini, Shiselweni, and Lumbobo. (8) Children perform physically arduous tasks while herding in the grasslands and mountainous regions, and risk occupational injury and disease from exposure to dangerous tools, insecticides, and herbicides. Children’s injuries sustained during livestock herding include open wounds, fractures, dislocations and sprains, fever, extreme fatigue, and snake bites. (8)

Eswatini children, especially girls and orphans, are trafficked within and outside the country to neighboring countries, such as South Africa, for commercial sexual exploitation and forced labor in agriculture and domestic work. (3) Some Mozambican boys migrate to Eswatini, become victims of human trafficking, and subsequently are forced to engage in street work and herding livestock, including cattle. (3,13) Although Eswatini has a high HIV prevalence, social programs supported by civil society groups have assisted children orphaned or made vulnerable by family members’ illnesses or deaths and reduced their vulnerabilities to child labor. (13,21)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Eswatini 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 Eswatini’s legal framework to adequately protect children from child labor, including minimum age law protections.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 234 of the Children’s Protection and Welfare Act; Section 97 of the Employment Act (22,23)
Minimum Age for Hazardous Work	Yes	18	Article 236 of the Children’s Protection and Welfare Act; Article 29 of the Constitution (22,24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 15,16, 233, 236, and 237 of the Children’s Protection and Welfare Act; Article 29 of the Constitution (22,24)
Prohibition of Forced Labor	Yes		Article 75 of the Children’s Protection and Welfare Act; Article 13 of the People Trafficking and People Smuggling (Prohibition) Act; Articles 17 and 29 of the Constitution (22,24,25)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Child Trafficking	Yes		Article 75 of the Children's Protection and Welfare Act; Article 13 of the People Trafficking and People Smuggling (Prohibition) Act (22,(25))
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 42–46 of the Crimes Act; Sections 13-15 of the Sexual Offences and Domestic Violence Act (26,27)
Prohibition of Using Children in Illicit Activities	Yes		Articles 16 and 49 of the Children's Protection and Welfare Act (22)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 17 of The Umutfo Swaziland Defence Force Order (28)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Section 17 of The Umutfo Swaziland Defence Force Order (28)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No	12/13‡	Section 10 of the Free Primary Education Act (29)
Free Public Education	No		Section 3 of the Free Primary Education Act (29)

* No conscription (28)

‡ Age calculated based on available information (30)

Previous reports indicated that local chiefs required residents, including children, to participate in non-communal tasks such as seasonal weeding. This work was performed through the customary practice of *Kuhlehla*. (31,32) In 2018, there were no reports that local chiefs forced residents or children to work, and research indicates that the practice is rare or nonexistent, and not innate to the customary practice of *Kuhlehla*. (33) Still, the ILO has requested that the government issue legislation to regulate the nature and conditions of *Kuhlehla*, and ensure that the law explicitly states the voluntary nature of participation in such work. (31)

Both the Children's Protection and Welfare Act and Section 97 of the Employment Act apply minimum age protections to children working in industrial undertakings, but neither cover children working in domestic and agricultural work. (10,22,23) Children working in the agricultural sector often work long hours, carry heavy loads, work in remote areas, and risk exposure to harmful pesticides. (8) Although Section 10 of the Free Primary Education Act requires parents to send their children to school for the completion of primary education, this educational attainment is typically at ages 12 or 13. As a result, children who complete primary education at ages 12 to 14 are vulnerable to child labor, as they are not required to be in school but also cannot legally work because they are under age 15, the minimum age for work. (10,29,30) In addition, the Free Primary Education Act provides for free schooling for 7 years, although basic education is a total of 9 years and includes lower secondary education. The failure to provide complete free basic education may increase the risk of children's involvement in the worst forms of child labor. (29,34)

Through consultations with the ILO, the government drafted a revised Employment Act, which is expected to come into force in 2019. The revised Employment Act would extend to all children, including those working in agriculture and domestic service; allow labor inspectors to enter private homes and farms to conduct inspections; and criminalize the non-state military recruitment of children. (10,19,35) In addition, on August 1, 2018, the Sexual Offences and Domestic Violence (SODV) Act entered into force. The SODV Act establishes new legal protections for victims of gender-based violence and exploitation, and criminalizes using, procuring, and offering a child for commercial sexual exploitation, with a penalty of up to 25 years' imprisonment. (11,19,27)

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 Social Security that may hinder adequate enforcement of child labor laws.

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Enforces child labor laws and promotes relations between labor, government, and business through tripartite dialogue. (7,36)
Royal Eswatini Police Services (REPS)	Investigates cases involving the worst forms of child labor. Informs victims of sexual offenses, including commercial sexual exploitation, of available counseling and other support services, including Post Exposure Prophylactics. (7,19,27,36)
Department of Social Welfare	Offers rehabilitative services to victims of child labor, including orphans, and refers suspected cases of child labor to the REPS or MLSS. (7,36)
Director of Public Prosecutions	Prosecutes cases involving the worst forms of child labor, and refers child victims to social and legal support services. (13,27) Responsible for implementing victim identification guidelines and referral mechanisms for actual and potential victims of human trafficking. (30)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Eswatini took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Security (MLSS) that may hinder adequate labor law enforcement, including the authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (4)	\$1,023,128 (37)
Number of Labor Inspectors	15 (4)	15 (19)
Inspectorate Authorized to Assess Penalties	No (4)	No (19)
Initial Training for New Labor Inspectors	Yes (4)	Yes (19)
Training on New Laws Related to Child Labor	N/A (4)	Yes (19)
Refresher Courses Provided	No (4)	No (19)
Number of Labor Inspections Conducted	2,220 (4)	2,278 (19)
Number Conducted at Worksite	2,220 (4)	2,278 (19)
Number of Child Labor Violations Found	0 (4)	0 (19)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (4)	0 (19)
Number of Child Labor Penalties Imposed that Were Collected	N/A (4)	N/A (19)
Routine Inspections Conducted	Yes (4)	Yes (19)
Routine Inspections Targeted	Yes (4)	Yes (19)
Unannounced Inspections Permitted	Yes (4)	Yes (19)
Unannounced Inspections Conducted	Yes (4)	Yes (19)
Complaint Mechanism Exists	Yes (4)	Yes (19)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (19)

The MLSS and NGOs noted that labor inspectors lacked sufficient resources, such as vehicles, to conduct inspections. (2,11,19,30) In addition, the number of labor inspectors is insufficient for the size of Eswatini's workforce, which comprises approximately 427,900 workers. (38) According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Eswatini would employ about 29 labor inspectors, and would require the hiring of 14 additional inspectors to meet this threshold. (39,40)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Eswatini took actions to combat child labor (Table 7). However, gaps exist within the operations of the Royal Eswatini Police Services (REPS) that may hinder adequate prosecution, particularly in gathering evidence for prosecution of trafficking cases involving children.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (4)	Yes (19)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (4)	Yes (19)
Refresher Courses Provided	Yes (4)	Yes (19)
Number of Investigations	2 (4)	5 (19)
Number of Violations Found	1 (4)	5 (19)
Number of Prosecutions Initiated	1 (4)	1 (19)
Number of Convictions	0 (4)	0 (19)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	No (33)	No (33)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (19)

In 2018, 597 new investigators received initial training and 47 officers received refresher training on how to address child labor, forced child labor, child trafficking, commercial sexual exploitation of children, and the use of children in illicit activities. Additionally, in October and December 2018, 74 front line personnel and 40 senior officers of the REPS Domestic Violence, Child Protection, and Sexual Abuse Unit received training on duties mandated under the SODV Act. (19,41)

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 efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
Children's Services Department	Evaluates and reviews all existing national legal instruments governing the treatment of children to ensure compliance with international child treatment standards, provisions, and practices. Monitors and evaluates all national policies, plans, and programs, and ensures that all stakeholders collaborate and contribute toward a national child development agenda. (19) The Department was established in late 2016, and spent 2018 hiring staff and conducting research on national policies, plans, and programs relating to child labor. (42)
Task Force for the Prevention of People Trafficking and People Smuggling	Coordinates the implementation of the People Trafficking and People Smuggling (Prohibition) Act of 2009. Formulates policies and programs to prevent and suppress people trafficking or people smuggling, including programs for rendering assistance to trafficked or smuggled persons. (25) Formulates protective programs for trafficked or smuggled persons, and initiates education programs to increase public awareness of the causes and consequences of human trafficking and smuggling. (25) Exchanges information on cases of human trafficking between relevant stakeholders, including the police, immigration, social services, and prosecutors. Comprises a conglomerate of NGOs and government entities, including the REPS, Director of Public Prosecutions, Attorney General's Office, Department of Social Welfare, Department of Health, Ministry of Foreign Affairs, and the MLSS. (7,43) The taskforce met regularly in 2018. (44)
Trafficking in Persons (TIP) Secretariat	Provides a support role to assist the Task Force for the Prevention of People Trafficking and People Smuggling. (25,33) In 2018, conducted public awareness and outreach programs through a bi-monthly newspaper column and a weekly call-in radio program covering human trafficking issues. In addition, the Secretariat expanded outreach initiatives to raise awareness of human trafficking by answering questions and distributing pamphlets to new audiences including church conventions, schools, traditional gatherings, rural community child care centers, and young women participating in the annual national reed dance ceremony. (11) However, reports indicate that the leadership issues within the Secretariat have hampered its ability to fulfill its statutory responsibilities. (11,13,33,44)

Although the government has coordinating mechanisms that address human trafficking, the government does not have a coordinating mechanism to address all child labor issues, including child labor in agriculture and domestic work. In addition, poor communication and coordination between the anti-human trafficking task force and the TIP Secretariat has resulted in confusion among some government officials and civil society groups about the mandates of these bodies and the function of a national referral mechanism. (11)

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 implementing relevant child labor policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Children's Policy (2009–Present)	Represents the policy framework of the Children's Protection and Welfare Act and aims to promote the rights of children, protect children from all types of abuse and exploitation, including child labor, and improve the quality of education. (45) Research was unable to determine whether actions were taken to implement this policy in 2018.
National Strategic Framework and Action Plan to Combat People Trafficking (2013–2018; 2019–2023)	Assigns responsibilities to relevant government agencies on trafficking in persons. (46,47) Actions undertaken in 2018 focused on the prevention and protection of victims. During the reporting period, the government enacted the Sexual Offenses and Domestic Violence (SODV) Act which expands protections for child victims of exploitation, including sex trafficking. (33) The government also increased training for frontline responders on victim identification and referral and trained prosecutors and magistrates on the SODV Act. The government also conducted an increased number of awareness-raising activities throughout the country, including incorporating chiefdoms and traditional systems of governance for the first time. (33)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (48)

Since 2014, the government has been developing an Action Plan on the Elimination of Child Labor (APEC), and in 2018, the ILO provided guidance on the plan and updated the implementation dates to 2019–2025. However, APEC is currently awaiting approval by the tripartite body, the Labor Advisory Board, and the Social Dialogue Committee before being forwarded to the Cabinet for review and adoption. (2,19,30,32) Moreover, child labor elimination and prevention strategies are not included in the Eswatini Education and Training Sector Policy. (49)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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

Table 10. Key Social Programs to Address Child Labor

Program	Description
Technical Assistance for Development of a Social Protection System in Swaziland (2016–2019)	\$46.8 million EU-funded, 3-year capacity building project to support the development of a social protection system through strengthening government coordination, regulatory, and oversight functions. A component of the project directly addresses needs of children, including education support services to vulnerable populations. (50) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.
Free Primary Education Program†	Provides funding to ensure free primary education to approximately 24,000 children starting from age 6 for a period of 7 years or up to grade seven. In June 2018, the government took over the funding of this program from the European Union. (2,19,30,52)

† Program is funded by the Government of Eswatini.

Although the government in collaboration with NGOs provided child trafficking victims with necessities such as food, clothing, toiletries, counseling, and medical care, programs are not sufficient to address the problem consistently. (32,33,53) The government has yet to partner with an institution with the appropriate conditions to serve as a shelter for victims of human trafficking, and additionally law enforcement personnel need training on victims' rights. Furthermore, the government does not have any shelter policies or guidelines in place to ensure that a minimum quality of standard care is provided to victims. (11,13,30) As a result, during the reporting period child victims of human trafficking were often placed in makeshift shelters where they had limited freedom of movement. (11) Moreover, research found no evidence of social programs to address child labor in herding and domestic work.

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 Eswatini (Table II).

Table II. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age provisions extend to all children, including those working in agriculture and domestic service.	2013 – 2018
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and cover agricultural undertakings and domestic work.	2012 – 2018
	Adopt legislation that prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Establish by law free basic public education through grade nine.	2018
	Establish a compulsory education age that is consistent with the minimum age for work.	2009 – 2018
	Adopt legislation that regulates the work performed through traditional practices.	2017 – 2018
Enforcement	Authorize the labor inspectorate to assess penalties.	2016 – 2018
	Provide labor inspectors with refresher courses on the worst forms of child labor.	2017 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2018
	Provide adequate resources, including vehicles, to conduct labor inspections.	2013 – 2018
Coordination	Establish coordinating mechanisms that address all child labor issues, such as children working in agriculture and domestic work.	2015 – 2018
	Provide sufficient resources for effective coordination within the Trafficking in Persons Task Force to address child labor.	2017 – 2018
Government Policies	Implement child labor-related policies, such as the National Children's Policy and the National Strategic Framework and Action Plan to Combat People Trafficking.	2017 – 2018
	Integrate child labor elimination and prevention strategies into the Eswatini Education and Training Sector Policy.	2010 – 2018
Social Programs	Ensure that children are able to access free basic education, including by paying or eliminating school fees for lower secondary education.	2013 – 2018
	Ensure that social programs to address child labor are implemented in accordance with their mandates.	2018
	Develop social protection programs to assist children engaged in child labor in domestic service and herding.	2014 – 2018
	Identify an appropriate partner to provide shelter for victims of human trafficking, and ensure all government and partner staff members receive sufficient training to address victims of human trafficking.	2017 – 2018

REFERENCES

- 1 U.S. Embassy- Mbabane. Reporting. February 17, 2015.
- 2 U.S. Embassy- Mbabane. Reporting. January 15, 2016.
- 3 U.S. Department of State. Trafficking in Persons Report- 2019: Eswatini Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/eswatini/>.
- 4 U.S. Embassy- Mbabane. Reporting. February 7, 2018.
- 5 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 6 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Activity Survey (SIMPOC), 2013. Analysis received March 12, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 7 U.S. Embassy- Mbabane. Reporting. January 17, 2014.
- 8 Government of Eswatini and International Labor Organization. Report on Child Labour in Herding in Rural Areas of Swaziland 2014. Published in 2018. https://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_30395/lang--en/index.htm.
- 9 Swaziland Action Group Against Abuse. Interview with USDOL consultant. September 16, 2015. Source on file.

MODERATE ADVANCEMENT

- 10 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Eswatini (ratification 2002). 2018. Accessed April 2, 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3341738.
- 11 U.S. Embassy- Mbabane. Reporting. February 27, 2019.
- 12 UN Office of the High Commissioner Human Rights. Human Rights Committee discusses implementation of Civil and Political Rights in Swaziland. July 10, 2017. <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=21859&LangID=E>.
- 13 U.S. Department of State. Eswatini: Input for the Eighteenth Annual Trafficking in Persons Report. February 22, 2018. Source on file.
- 14 ILO Committee of Experts. Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29)-Swaziland (ratification: 1978). Published: 2017. Accessed November 26, 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3297019.
- 15 Trade Union Representative. Interview with USDOL Consultant. February 1, 2018. Source on file.
- 16 Trade Union Representative. Interview with USDOL Consultant. November 28, 2017. Source on file.
- 17 Trade Association Representative. Interview with USDOL Consultant. March 15, 2018. Source on file.
- 18 Times of Swaziland. Over 11,000 Children Not At School, Herding Cattle. November 16, 2017. <http://www.times.co.sz/news/115811-over-11-000-children-not-at-school-herding-cattle.html>.
- 19 U.S. Embassy- Mbabane. Reporting. February 11, 2019.
- 20 Resident Representative Ms. Alice Akunga of UNICEF. Interview with USDOL Consultant. March 13, 2018. Source on file.
- 21 U.S. Embassy- Mbabane. Reporting. March 3, 2017.
- 22 Government of Eswatini. Children's Protection and Welfare Act, 2012. Enacted: 2012. Source on file.
- 23 Government of Eswatini. The Employment Act, 1981. 1981. <http://www.snat.org.sz/New Page/Employment Act.pdf>.
- 24 Government of Eswatini. An Act to provide for the Constitution of the Kingdom of Swaziland, 2005. Enacted: 2005. http://www.wipo.int/wipolex/en/text.jsp?file_id=217889.
- 25 Government of Eswatini. The People Trafficking and People Smuggling (Prohibition) Act, Act No. 7. Enacted: November 10, 2009. <https://www.ilo.org/dyn/natlex/docs/MONOGRAPH/107539/132415/F306693388/SWZ107539.pdf>.
- 26 Government of Eswatini. Crimes Act of 1889. <http://www.osall.org.za/docs/2011/03/Swaziland-Crimes-Act-61-of-1889.pdf>.
- 27 Government of Eswatini. The Sexual Offences and Domestic Violence Act, 2018. Enacted: June 28, 2018. Source on file.
- 28 Government of Eswatini. The Umbutfo Swaziland Defence Force Order. Enacted: 1977. Source on file.
- 29 Government of Eswatini. Free Primary Education Act. Enacted: 2010. Source on file.
- 30 U.S. Embassy- Mbabane Reporting. June 18, 2018.
- 31 ILO Committee of Experts. Observation concerning Forced Labour Convention, 1930 (No. 29) - Eswatini (ratification: 1978). 2017. Accessed April 2, 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3297022:YES.
- 32 U.S. Embassy- Mbabane. Reporting. January 31, 2017.
- 33 U.S. Embassy- Mbabane official. Email communication to USDOL official. July 11, 2019.
- 34 UNESCO. International Standard Classification of Education. Montreal: UNESCO Institute for Statistics, 2012. <http://uis.unesco.org/sites/default/files/documents/international-standard-classification-of-education-isced-2011-en.pdf>.
- 35 Ministry of Labor official. Interview with USDOL official. February 7, 2019.
- 36 U.S. Embassy- Mbabane official. Email communication to USDOL official. March 24, 2014.
- 37 U.S. Embassy- Mbabane official. Email communication to USDOL official. March 18, 2019.
- 38 CIA. The World Factbook. Accessed March 26, 2019. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 39 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 40 ILO. Strategies and Practice for Labour Inspection. Geneva, Committee on Employment and Social Policy. November, 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 41 Royal Eswatini Police official. Interview with USDOL official. February 5, 2019.
- 42 Children's Services Department Official. Interview with USDOL Official. February 4, 2019.
- 43 Government of Eswatini. Progress Report on the Elimination of Child Labour in Swaziland. January 16, 2013. Source on file.
- 44 U.S. Department of State. Trafficking in Persons Report - 2019: Eswatini. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/eswatini/>.
- 45 Government of Eswatini. Swaziland National Children's Policy, 2009. <https://www.infocenter.nercha.org.sz/sites/default/files/NatChildPolicy.pdf>.
- 46 U.S. Embassy- Mbabane. Reporting. February 13, 2014.
- 47 Government of Eswatini. Swaziland National Strategic Framework and Action Plan to Combat People Trafficking. 2018–2020. Source on file.
- 48 Government of Eswatini. His Majesty's Programme of Action 2013–2018. Last accessed online March 13, 2018. http://suedafrika.ahk.de/fileadmin/ahk_suedafrika/SADC_Info/Swaziland_Government_Programme_of_Action_for_the_Year_2014-2018.pdf.
- 49 Government of Eswatini. The Eswatini Education and Training Sector Policy, 2011. <http://www.snat.org.sz/New Page/The Education Sector Policy.pdf>.
- 50 Pain, Dennis. Technical Assistance for the Development of a Social Protection System in Swaziland Inception Report. October 24, 2016. <https://www.humandynamics.org/en/project/swaziland-social-protection>.
- 51 ILO. Decent Work Country Programmes, Programmes by country/ subregion 2016. Cited March 24, 2016. <http://www.ilo.org/public/english/bureau/program/dwcp/countries/>.
- 52 Government of Eswatini. Ministry of Education and Training - Freed Education. http://www.gov.sz/index.php?option=com_content&view=article&id=423&Itemid=369.
- 53 U.S. Embassy- Mbabane official. Email communication to USDOL official. February 5, 2016.

In 2018, Ethiopia made a moderate advancement in efforts to eliminate the worst forms of child labor. The National Anti-Human Trafficking and Smuggling of Migrants Task Force worked with the ILO to map service providers working on migration issues in order to improve coordination and collaboration. The government also nearly quadrupled the labor inspectorate's budget from its 2017 allocation, and in collaboration with the World Bank and UNICEF, it distributed 117 million textbooks and constructed 260 primary school classrooms. However, children in Ethiopia continue to engage in the worst forms of child labor, including in forced labor in domestic work. Children also perform dangerous tasks in agriculture. The law in Ethiopia does not include free basic education or a compulsory age for education, leaving children vulnerable to the worst forms of child labor. Social programs to combat child labor have also not sufficiently targeted sectors with high incidences of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ethiopia engage in the worst forms of child labor, including in forced labor in domestic work. Children also perform dangerous tasks in agriculture. (1-4) According to the results of a 2015 national child labor survey published in 2018, almost 16 million children from the ages of 5 to 17 engaged in child labor. The majority of these children were found in Oromia, Amhara, and the Southern Nations, Nationalities, and Peoples' regions. (5) Table 1 provides key indicators on children's work and education in Ethiopia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	7 to 14	41.5 (10,202,669)
Attending School (%)	7 to 14	73.1
Combining Work and School (%)	7 to 14	30.8
Primary Completion Rate (%)		54.3

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Socio Economic Survey, 2015–2016. (7)

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	Planting and harvesting apples, bananas, coffee, cotton, and <i>khat</i> (2,5,8,9)
	Herding livestock, including cattle (10)
	Fishing (2,5)
Industry	Mining† gold and quarrying† (5,8,11)
	Construction,† including carrying heavy loads and digging (2,5,8,10)
	Repairing motor vehicles and motorcycles (5)
	Producing handicrafts, including pottery and traditional handwoven textiles (2,5,8,12)
Services	Domestic work (4,5,9)
	Unpaid household services, including carrying heavy loads of water and firewood (5,8)
	Street work, including shoe shining, assisting taxi drivers, vending, portering, and begging (5,8,10,13)

Ethiopia

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (3,4,10,14,15)
	Forced labor in domestic work, herding, street vending, and traditional weaving of handwoven textiles, each sometimes as a result of human trafficking (8,14,16)
	Recruitment of children by non-state armed groups for use in armed conflict (4)

† 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.

Children are trafficked from rural areas to Addis Ababa and to other regions of the country for forced labor in the weaving industry and in domestic work. (8,14,16) Children also reportedly harvest and sell *khat*, a stimulant to which they may become addicted due to bodily contact with the plants’ excretions during harvest. (4) Families continue to play a role in financing and coercing their children to go abroad or to urban areas to look for work. (14-17) Children who begin as voluntary migrants may be forced into prostitution or become victims of forced labor. (14,15)

Many children face barriers to education, including the distance rural children must travel to reach school; a lack of sanitation, which especially affects adolescent girls; sexual harassment; the requirement to pay for uniforms and supplies; and a lack of teachers. These factors increase children’s risk of entering the workforce at a young age. (4,9,18,19) The Somali and Afar regions had the lowest rates of school attendance, with only 38.6 percent of school-age children enrolled in the Somali region and 50.2 percent enrolled in the Afar region. (5) In 2018, the number of internally displaced persons (IDPs) nearly doubled, from 1.6 million to 2.95 million, many of them children who may encounter difficulty accessing education in host communities or IDP camps. (4,20,21)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Ethiopia 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 Ethiopia’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and the age for compulsory education.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Articles 89.2 and 185.1 of the Labour Proclamation (22)
Minimum Age for Hazardous Work	No	18‡	Article 36.1(d) of the Constitution; Articles 89.1, 89.3, and 185.1 of the Labour Proclamation (22,23)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 89.4 and 185.1 of the Labour Proclamation; Directive on Prohibited Occupations for Young Workers (22,24)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 18.3 of the Constitution; Article 596 of the Criminal Code; Articles 2.4 and 3–4 of the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants (23,25,26)
Prohibition of Child Trafficking	Yes		Article 18.2 of the Constitution; Articles 597, 635, and 637 of the Criminal Code; Article 3.2 of the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants (23,25,26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 634–636 of the Criminal Code; Articles 2.4 and 3–4 of the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants (25,26)
Prohibition of Using Children in Illicit Activities	Yes		Article 525 of the Criminal Code (25)
Minimum Age for Voluntary State Military Recruitment	Yes	18‡	Article 270 of the Criminal Code (25)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 2.3 of the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants (26)
Compulsory Education Age	No		
Free Public Education	No		

* No conscription (25)

‡ Age calculated based on available information (22)

Not all Ethiopian laws related to child labor are in compliance with international standards. The Labour Proclamation applies only to children in a contractual employment relationship, which does not conform to international standards that require all children to be protected under the law establishing a minimum age for work. (22,27) The types of hazardous work prohibited for children do not cover traditional weaving, an area of work in which there is evidence of using dangerous machinery, equipment, and tools, or work that involves the manual handling or transporting of heavy loads other than in the transportation industry. (22,24) Lastly, Article 89.5 of the Labour Proclamation allows children ages 14 to 16 to engage in certain forms of hazardous work following the completion of a government-approved and inspected vocational training course. (22,28) This contradicts ILO C. 138, which prohibits hazardous work for all children under age 16. However, the Government of Ethiopia notes that, in practice, children may begin apprenticeships only after the completion of 10 years of schooling, or at age 17. (28)

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 authority of the Ministry of Labor and Social Affairs (MOLSA) 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 Social Affairs (MOLSA)	Conducts labor inspections of formal worksites at the regional level through its regional Bureaus of Labor and Social Affairs. (4) Through its National Referral Mechanism, coordinates victim referral to social services providers. (17)
Ethiopian Federal Police Commission	Enforces criminal laws against the worst forms of child labor, including child trafficking and the commercial sexual exploitation of children. (4) Through its Special Child Protection Units in Addis Ababa and other major cities, combats child trafficking and assists vulnerable children. (4,14,29)

Ethiopia

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Office of the Attorney General	Prosecutes criminal violations of child labor laws, including through its Special Investigative Unit for Women and Children. (4)
Ministry of Women and Children's Affairs	Develops and implements programs to protect vulnerable children and monitor alleged violations of child protection laws, including the worst forms of child labor. (1,30) Maintains foster families and rehabilitation centers for children rescued from the worst forms of child labor. (4)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Ethiopia took actions to combat child labor (Table 6). However, gaps exist within the authority of MOLSA that may hinder adequate labor law enforcement, including the authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$54,390 (31)	\$205,743 (4)
Number of Labor Inspectors	516 (31)	541 (4)
Inspectorate Authorized to Assess Penalties	No (31)	No (22)
Initial Training for New Labor Inspectors	N/A (4)	No (4)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (31)	Yes (4)
Number of Labor Inspections Conducted	46,000 (31)	38,000 (4)
Number Conducted at Worksite	28,275 (31)	38,000 (4)
Number of Child Labor Violations Found	70 (32)	Unknown (4)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (31)	Unknown (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (31)	Unknown (4)
Routine Inspections Conducted	Yes (31)	Yes (4)
Routine Inspections Targeted	Yes (31)	Yes (4)
Unannounced Inspections Permitted	Yes (22)	Yes (22)
Unannounced Inspections Conducted	Unknown	Yes (4)
Complaint Mechanism Exists	Yes (31)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (31)	Yes (4)

In 2018, the labor inspections focused on the construction and agricultural sectors, in which child labor is known to occur. However, the government did not publish the number of child labor violations identified as a result of these inspections. (4) Penalties for violating child labor laws range from \$11 to \$44 and are too low to deter violations. (22)

The number of labor inspectors is likely insufficient for the size of Ethiopia's workforce, which includes 52.8 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Ethiopia should employ roughly 1,321 inspectors. (33,34) In addition, although the labor inspectorate's funding nearly quadrupled from 2017, MOLSA and other stakeholders report that a lack of resources and poor coordination among agencies hampered their ability to enforce child labor laws throughout the country. (4)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Ethiopia 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 collecting and publishing enforcement statistics.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	N/A (4)	N/A
Training on New Laws Related to the Worst Forms of Child Labor	N/A (31)	N/A
Refresher Courses Provided	Unknown (31)	Yes (17)
Number of Investigations	1,400 (31)	Unknown (4)
Number of Violations Found	Unknown (31)	Unknown (4)
Number of Prosecutions Initiated	Unknown (31)	Unknown (4)
Number of Convictions	Unknown (31)	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (31)	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (31)	Yes (4)

Although the Federal Police Commission and the Office of the Attorney General track all investigations, they lack a mechanism to disaggregate data by age and type of crime. (4) The government also continues to focus on transnational human trafficking for the purpose of forced labor, to the detriment of internal human trafficking, including child trafficking for commercial sexual exploitation, which is a known problem in Ethiopia. (14)

Ethiopian immigration and border patrol authorities refer trafficking victims to NGO-run shelters, in which they are given first aid and assistance to return home. Although the centers do not disaggregate data for children, NGOs reported that many of those receiving services were younger than age 18, some of whom may have been returning from the Gulf States. (17)

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 efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
National Steering Committee on the Worst Forms of Child Labor	Coordinates activities on the worst forms of child labor. Members include MOLSA, the Ministry of Women and Children's Affairs, and the Ministry of Education. (4, 15)
MOLSA National Forum to Eliminate the Worst Forms of Child Labor	Combats the worst forms of child labor at the national level. Biannual meetings convene participants from the Ethiopian Employers' Federation and the Confederation of Ethiopian Trade Unions. (4)
National Steering Committee Against Sexual Exploitation of Women and Children	Develops action plans and coordinates activities to combat the commercial sexual exploitation of children. (15,30)
National Anti-Human Trafficking and Smuggling Council	Addresses international exploitation, including the worst forms of child labor. Chaired by the Deputy Prime Minister, with representatives from five government ministries and regional presidents who meet twice a year. (17,26,35,36)
National Anti-Human Trafficking and Smuggling of Migrants Task Force	Operational arm of the National Anti-Human Trafficking and Smuggling Council. (17) Meets quarterly and coordinates activities against trafficking in persons and migrant smuggling. Led by the Office of the Attorney General and includes representatives from 31 government stakeholders and international organizations such as the IOM, the ILO, and the UNODC. (17,26,36) In 2018, the Secretariat worked with the ILO to map stakeholders working in the area of migration in order to improve coordination and collaboration. (37)
National and Regional Task Forces on Orphans and Vulnerable Children	Promote children's rights; chaired by members of the federal government and state ministers. (30) Coordinated and implemented by the Ministry of Women and Children's Affairs in all nine regional capitals and two city administrations. (38)

Research was unable to determine whether most of the coordinating bodies were active during the reporting period. Limited committee budgets, overlapping mandates, and poor coordination may affect their ability to operate and coordinate efforts to address child labor at a national or regional level. (15,17)

Ethiopia

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 mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Eliminate the Worst Forms of Child Labor (2016–2020)	Includes guidelines on child labor identification, withdrawal, reintegration, and educational policies. Overseen by the National Steering Committee on the Worst Forms of Child Labor. (4)
National Plan of Action to Combat Trafficking in Persons (2015–2020)	Examines legal and institutional frameworks and responses related to the human trafficking situation in Ethiopia. Aims to provide guiding principles based on international best practices for anti-human trafficking action and the institutional structures and inputs needed to combat human trafficking. (39)
National Children’s Policy	Aims to promote children’s rights and combat child trafficking, commercial sexual exploitation, and child labor. Promotes access to quality primary and secondary education, and education in rural areas or for out-of-school youth. (40) In 2018, the Ministry of Woman and Children’s Affairs developed an implementation plan and shared it with lower level structures for feedback. (38)
Education Policies	Aims to improve access to quality education. Includes Education Sector Development Programme V (2015–2020); Ethiopian Education Development Roadmap (2018–2030),† which aims to implement compulsory education; Education and Training Policy, which prioritizes government support for education through grade 10; Pastoralist Area Education Strategy, which provides for alternative education in pastoralist communities; and National Technical & Vocational Education & Training Strategy, which aims to improve access to vocational education for girls and out-of-school children. (19,41–44)
UNDAF (2016–2020)	Promotes improved access to education and livelihood services for vulnerable children. Seeks to protect children from abuse, violence, and exploitation, and to rehabilitate them. (45)
National Human Rights Action Plan II (2016–2020)	Aims to promote human rights in line with Ethiopia’s second Growth and Transformation Plan. Includes creating detailed manuals on crime investigation, improving the ability of civil society organizations to secure local funding, and combating both domestic and international trafficking in persons. (46,47)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (21,30,48–52)

The government has not included child labor elimination and prevention strategies in the Education Sector Development Program, the National Technical & Vocational Education & Training Strategy, or the National Youth Policy. (43,44) In addition, research was unable to determine whether activities were undertaken to implement these policies during the reporting period.

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 adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Engaged, Educated, Empowered, Ethiopian Youth Project (2014–2018)	\$10 million USDOL-funded project implemented by World Vision, Inc. (53) By the end of the project in 2018, placed 12,670 youth ages 14 to 17 in educational or employment activities, trained 3,119 teachers on inclusive education, and trained 1,374 government officials on enforcing child labor laws. (54) Additional information is available on the USDOL website.
World Bank-funded Projects	Includes ET Productive Safety Nets Project 4 (PSNP 4) (2014–2020),† a \$600 million project that aims to improve access to social safety nets, including cash and in-kind transfers to orphans and vulnerable children; Ethiopia General Education Quality Improvement Project II (GEQIP-2) (2014–2019), a \$130 million project that aims to improve learning conditions in Ethiopia through curriculum development, textbook assessment, teacher training, and school construction; and Ethiopia General Education Quality Improvement Program for Equity (GEQIP-E) (2017–2022), a \$300 million program that works with the Ministry of Education to improve education quality and access. (55–58) In 2018, the government took steps to modernize PSNP 4 by developing a registry and monitoring system for beneficiaries, and continued to provide on-time cash transfers to 2.5 million households. (59) As part of GEQIP-2, distributed 117 million textbooks and teaching aids. GEQIP-E worked with the Ministry of Education to create budget lines for school grants and textbooks. (60,61)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
UNICEF-funded Programs	Programs to improve social safety nets and improve access to education. Includes Child-to-Child and Accelerated School Readiness programs, which extend educational opportunities to internally displaced children, and Integrated Basic Social Services with Social Cash Transfer (2015–2018),† UNICEF, Irish Aid, and MOLSA-funded project in support of PSNP 4 that aims to improve educational outcomes in the Oromia and Southern Nations, Nationalities, and Peoples' regions by providing cash transfers. (20,62) In 2018, constructed 260 primary school classrooms, provided training to 309 refugee teachers, educated almost 18,000 children, and provided transfers to almost 1.3 million beneficiaries. (20)

† Program is funded by the Government of Ethiopia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (63,64)

Although the government participates in and implements several programs to combat child labor, these programs do not sufficiently target sectors with high incidences of child labor, such as agriculture and domestic work. (4) There is also a lack of appropriate rehabilitation and reintegration centers throughout the country for victims of child trafficking or commercial sexual exploitation. (3,15)

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 Ethiopia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are protected by child labor laws, including children working in non-contractual employment.	2009 – 2018
	Ensure that the types of hazardous work prohibited for children are comprehensive, including hazardous tasks in traditional weaving.	2016 – 2018
	Establish, by law, free basic education and an age up to which education is compulsory that is consistent with the minimum age of employment.	2012 – 2018
Enforcement	Strengthen the labor inspectorate by permitting labor inspectors to assess penalties.	2013 – 2018
	Ensure that labor inspectors have sufficient training and resources to conduct inspections in all sectors, and are able to coordinate adequately with other agencies.	2009 – 2018
	Ensure that penalties are severe enough to deter violations and that both domestic and transnational child trafficking cases are investigated.	2013 – 2018
	Gather, disaggregate, and publish information on the number of child labor violations found and penalties applied and collected, as well as the number of investigations conducted, prosecutions initiated, and convictions obtained.	2009 – 2018
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2018
Coordination	Ensure that established coordinating mechanisms to combat child labor have adequate funding to fulfill their mandates and are able to effectively coordinate between committees.	2015 – 2018
Government Policies	Integrate child labor elimination and prevention strategies in the Education Sector Development Program, the National Technical & Vocational Education & Training Strategy, and the National Youth Policy.	2013 – 2018
	Ensure existing policies are implemented as intended.	2018
Social Programs	Increase access to education for all children by decreasing the distance to schools in rural areas, hiring additional teachers, constructing sanitation facilities, eliminating school-related costs, and addressing the sexual abuse and harassment of girls.	2010 – 2018
	Develop or expand social protection programs to prevent or withdraw children from all relevant sectors of child labor, including agriculture and domestic work, and ensure that social services, such as rehabilitation and reintegration centers, are available throughout the country.	2009 – 2018

REFERENCES

- 1 UN Committee on the Rights of the Child. Consideration of Reports of States Parties. Report No. CRC/C/SR.1997. Geneva, May 28, 2015. [http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/SR.1997&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=_CRC/C/SR.1997&Lang=en).
- 2 ILO Country Office to Ethiopia and Somalia in Partnership with the Ministry of Labor and Social Affairs. Template to Analyze the Hazards and Risks of Different Occupations/Works for Children in Ethiopia. Addis Ababa, 2014. https://www.ilo.org/ipecc/Informationresources/WCMS_382487/lang--en/index.htm.
- 3 ILO Committee of Experts. Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Ethiopia (Ratification: 2003). 2018. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3791150.
- 4 U.S. Embassy- Addis Ababa. Reporting. January 22, 2019.
- 5 International Labour Organization and Central Statistical Agency (CSA) of Ethiopia. 2015 Ethiopia National Child Labour Survey. Geneva: ILO, 2018. https://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_30035/lang--en/index.htm.
- 6 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 7 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Socio Economic Survey, 2015-2016. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 8 Afri-Tech Consult PLC. Baseline Survey on Child Labor in Gamo Gofa and Wolaita Zones of Southern Nations, Nationalities and Peoples Regional State and Gullele Sub-city of Addis Ababa City Administration. Addis Ababa: World Vision; August 2012. Source on file.
- 9 Borko, Zegeye Paulos. Child Labor and Associated Problems (The Case of Damot Gale District in Wolaita Zone, Ethiopia). International Journal of Economics & Management Sciences, 6:5 (2017). <https://www.omicsonline.org/open-access/child-labor-and-associated-problems-the-case-of-damot-gale-district-in-wolaita-zone-ethiopia-2162-6359-1000450.pdf>.
- 10 Denbegna, Mulualem. Towards Stopping Child Labour Exploitation. Addis Ababa: s.n., June 21, 2015. Source on file.
- 11 Schipper, Irene and Esther de Haan. Gold From Children's Hands. Amsterdam: SOMO, November, 2015. <https://www.somo.nl/wp-content/uploads/2015/11/Gold-from-childrens-hands-5.pdf>.
- 12 Tamene, Abebech. Ethiopia facing up to child labor crisis. June 12, 2016. <http://aa.com.tr/en/africa/ethiopia-facing-up-to-child-labor-crisis/588314#>.
- 13 Addis Standard. Behind the Smokescreen of Ethiopia's Surging Tobacco Production. *allafrica.com*, October 8, 2015. <http://allafrica.com/stories/201510081086.html>.
- 14 U.S. Department of State. Trafficking in Persons Report- 2018: Ethiopia. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/ethiopia/>.
- 15 ECPAT International and Defence for Children. Sexual Exploitation of Children in Ethiopia Submission for the Universal Periodic Review of the human rights situation in Ethiopia. Bangkok, Thailand: ECPAT Nederland, October 4, 2018. <https://www.ecpat.org/wp-content/uploads/2018/07/Universal-Periodic-Review-on-Sexual-Exploitation-of-Children-in-Ethiopia-English-2018.pdf>.
- 16 Gardner, Tom. Trafficked into slavery: The dark side of Addis Ababa's growth. Reuters, May 16, 2017. <https://af.reuters.com/article/africaTech/idAFL8N1IH4GA>.
- 17 U.S. Embassy- Addis Ababa. Reporting. February 19, 2019.
- 18 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Ethiopia. Washington, DC, March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/ethiopia/>.
- 19 Ministry of Education, Education Strategy Center (ESC). Ethiopian Education Development Roadmap (2018-30): An integrated Executive Summary. Addis Ababa, July 2018. http://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/ethiopia_education_development_roadmap_2018-2030.pdf.
- 20 UNICEF. Ethiopia Humanitarian Situation Report #12 - Reporting Period January - December 2018. December 31, 2018. https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF_Ethiopia_Humanitarian_Situation_Report_#12_January_-_December_2018.pdf.
- 21 UN High Commissioner for Refugees. Ethiopia National Refugee Child Protection Strategy 2017-2019. 2017. <https://data2.unhcr.org/en/documents/download/62618>.
- 22 Government of Ethiopia. Labour Proclamation, No. 377/2003. Enacted: February 26, 2004. <http://chilot.files.wordpress.com/2011/08/proc-no-377-2003-labour.pdf>.
- 23 Government of Ethiopia. The Constitution of the Federal Democratic Republic of Ethiopia. Enacted: December 8, 1994. <https://www.wipo.int/edocs/lexdocs/laws/en/et/et007en.pdf>.
- 24 Ministry of Labour and Social Affairs. List of Hazardous Occupations for Children in Ethiopia. Addis Ababa; International Labour Organization, July 2011. Source on file.
- 25 Government of Ethiopia. The Criminal Code of the Federal Democratic Republic of Ethiopia, No. 414/2004. Enacted: 2004.
- 26 Government of Ethiopia. Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants, No. 909/2015. Enacted: 2015. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/101059/126622/F-402220324/ETH101059.pdf>.
- 27 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Ethiopia (ratification: 1999). Published: 2018. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:PI3100_COMMENT_ID:3934930:NO.
- 28 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Ethiopia (ratification: 1999). Published: 2018. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:PI3100_COMMENT_ID:3934934:NO.
- 29 Beyene, Daniel. Enhancing Efforts to End Child Labour. The Ethiopian Herald, September 22, 2016. <http://allafrica.com/stories/201609220860.html>.
- 30 Government of Ethiopia. Statement by H.E. Mrs. Zenebu Tadesse, Minister of Women, Children, and Youth Affairs at the Fourth and Fifth Review of Ethiopia before the Committee on the Rights of the Child. May 22, 2015. http://tbinternet.ohchr.org/Treaties/CRC/Shared_Documents/ETH/INT_CRC_STA_ETH_20534_E.pdf.
- 31 U.S. Embassy- Addis Ababa. Reporting. February 8, 2018.
- 32 U.S. Embassy- Addis Ababa. Reporting. February 9, 2018.
- 33 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.

- 34 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 35 UN Committee on the Elimination of Discrimination against Women. Eighth periodic report submitted by Ethiopia under article 18 of the Convention, due in 2015. CEDAW/C/ETH/8. November 21, 2017
[http://tbinternet.ohchr.org/Treaties/CEDAW/Shared Documents/ETH/CEDAW_C_ETH_8_5939_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/ETH/CEDAW_C_ETH_8_5939_E.pdf).
- 36 Husien, Zubeda. Ethiopia's Fight Against Human Trafficking, Smuggling. The Ethiopian Herald, July 10, 2016.
<http://allafrica.com/stories/201607110013.html>.
- 37 ILO. Mapping of stakeholders working on migration in Ethiopia. October 8, 2018.
[https://www.ilo.org/addisababa/media-centre/pr/WCMS_647190/lang--en/index.htm](https://www.ilo.org/addisababa/media-centre/pr/WCMS_647190/lang-en/index.htm).
- 38 World Vision. Ethiopia, E4Y (Engaged, Educated, Empowered, Ethiopian Youth) Technical Progress Report. December 20, 2018. Source on file.
- 39 Government of Ethiopia. National Plan of Action to Combat Trafficking in Persons 2015/6-2020/1. March 2015. Source on file.
- 40 Government of Ethiopia. National Children's Policy. 2009. Source on file.
- 41 Government of Ethiopia. Education and Training Policy. April 1994.
https://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/ethiopia_education_and_training_policy.pdf.
- 42 Ministry of Education. Pastoralist Area Education Strategy. Addis Ababa, 2009.
https://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/ethiopia_pastoralist_area_education_strategy.pdf.
- 43 Government of Ethiopia. National Technical & Vocational Education & Training (TVET) Strategy. Addis Ababa, August 2008. Source on file.
- 44 Government of Ethiopia. Education Sector Development Programme V (ESDP V)-Programme Action Plan. Addis Ababa: Ministry of Education, August 2015.
http://www.cmpethiopia.org/content/download/2267/9609/file/ESDPV_FINAL.pdf.
- 45 Government of Ethiopia, and UN Country Team. United Nations Development Assistance Framework for Ethiopia 2016-2020. July 2015.
<http://et.one.un.org/content/unct/ethiopia/en/home/assistance-framework/undaf.html>.
- 46 Government of Ethiopia. National Human Rights Action Plan II 2016-2020. December 2016. Source on file.
- 47 U.S. Embassy- Addis Ababa official. Email to USDOL official. June 10, 2019.
- 48 Government of Ethiopia. National Youth Policy. July 2015.
<http://www.mysc.gov.et/youth.html>.
- 49 Getachew Adem and Kinde Getnet. National Employment Policy & Strategy of Ethiopia. Addis Ababa, Government of Ethiopia. December 2009. Source on file.
- 50 Government of Ethiopia. Social Protection Policy. Addis Ababa, November 2014. Source on file.
- 51 Government of Ethiopia. National Occupational Safety and Health Policy and Strategy. Addis Ababa, July 2014. Source on file.
- 52 Government of Ethiopia. Growth and Transformation Plan 2015. Addis Ababa, October 2015. Source on file.
- 53 U.S. Department of Labor: Engaged, Educated, Empowered, Ethiopian Youth Project (E4Y) Project Summary. December 2014.
<https://www.dol.gov/agencies/ilab/engaged-educated-empowered-ethiopian-youth-project-e4y>.
- 54 Rodrigues, Cristina. Final Evaluation: Engaged, Educated, Empowered, Ethiopian Youth Project. Washington, DC: United States Department of Labor, January 2019.
https://www.dol.gov/sites/default/files/documents/ilab/Ethiopia_E4Y_feval.pdf.
- 55 World Bank. ET Productive Safety Nets 4 Program (PSNP 4) Project Information Document (PID). September 4, 2014.
<http://documents.worldbank.org/curated/en/591151468198841154/pdf/PID-Appraisal-Print-P146883-07-14-2014-1405350735921.pdf>.
- 56 World Bank. Project Paper on a Proposed Additional Credit in the Amount Of US\$108.1 Million to the Federal Democratic Republic of Ethiopia for the Productive Safety Net Project IV. accessed October 24, April 19, 2017.
<http://documents.worldbank.org/curated/en/987181493949648075/pdf/Ethiopia-PP-04212017.pdf>.
- 57 World Bank. Project Appraisal Document on a Proposed Credit in the Amount of US\$130.0 Million to the Federal Democratic Republic of Ethiopia for a General Education Quality Improvement Project II. October 17, 2013.
<http://documents.worldbank.org/curated/en/882171468257057062/pdf/PAD4760PAD0REPOE0Box379867B00OU090.pdf>.
- 58 World Bank. Project Appraisal Document on a Proposed IDA Grant and Multi-Donor Trust Fund Grant in the Amount of \$300 Million IDA Grant and \$140 Million MDTF Grant to the Federal Democratic Republic of Ethiopia for the General Education Quality Improvement Program for Equity (GEQIP-E). 2017.
<http://documents.worldbank.org/curated/en/128401513911659858/pdf/ETHIOPIA-EDUC-PAD-11302017.pdf>.
- 59 World Bank. ET Productive Safety Nets Project 4 (PSNP 4) Implementation Status & Results Report. October 29, 2018.
<http://documents.worldbank.org/curated/en/656981540851318661/pdf/Disclosable-Version-of-the-ISR-ET-Productive-Safety-Nets-Project-4-PSNP-4-P146883-Sequence-No-08.pdf>.
- 60 World Bank. Ethiopia General Education Quality Improvement Project II Implementation Status & Results Report. February 25, 2019.
<http://documents.worldbank.org/curated/en/660891551132046171/pdf/Disclosable-Version-of-the-ISR-Ethiopia-General-Education-Quality-Improvement-Project-II-P129828-Sequence-No-11.pdf>.
- 61 World Bank. Ethiopia General Education Quality Improvement Program for Equity Implementation Status & Results Report. August 30, 2018.
<http://documents.worldbank.org/curated/en/606981537152124626/pdf/Disclosable-Version-of-the-ISR-Ethiopia-General-Education-Quality-Improvement-Program-for-Equity-P163050-Sequence-No-02.pdf>.
- 62 The Transfer Project. Ethiopia's Tigray Social Cash Transfer Pilot Programme (SCTPP) & Integrated Basic Social Services with Social Cash Transfer (IN-SCT). Accessed March 7, 2019.
<https://transfer.cpc.unc.edu/countries-2/ethiopia/>.
- 63 IOM. IOM trains police and government officials on identification, protection and referral of vulnerable migrants. ethiopia.iom.int, February 18, 2015.
<https://ethiopia.iom.int/iom-trains-police-and-government-officials-identification-protection-and-referral-vulnerable>.
- 64 Government of Ethiopia. Proclamation No. 1049/2017 to Provide for the Amendment of the Vital Events Registration and National ID Proclamation. August 7, 2017.
<https://data.unicef.org/wp-content/uploads/2017/12/Proclamation-no.-1049-of-2017.pdf>.

Falkland Islands (Islas Malvinas)

MINIMAL ADVANCEMENT

Although research found no evidence that child labor exists in the Falkland Islands, the government made a minimal advancement in efforts to prevent the worst forms of child labor. During the reporting period, the Safeguarding Children's Board convened multiple times to discuss issues related to the safety and wellbeing of children. However, the minimum ages for work and hazardous work do not meet international standards, and the law does not prohibit the involvement of children in illicit activities.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in the Falkland Islands. (1,2,3,4,5,6) Data on key indicators on children's work and education in the Falkland Islands are not available from the sources used in this report.

II. LEGAL FRAMEWORK FOR CHILD LABOR

British Overseas Territories (BOTs) recognize the jurisdiction and sovereignty of the United Kingdom (UK), but are not constitutionally part of the UK. They are self-governing, except in the areas of foreign affairs and defense. (3) The Falkland Islands generally incorporate English Law Ordinances to the extent permitted by local circumstances and subject to modification by local laws. (1) Under Article 35(4) of the ILO Constitution, when the UK ratifies a Convention, the Territory must consider if it will accept the Convention. If the Convention is accepted, it is considered applicable to that territory. (1,3) The following Conventions have been extended to the Falkland Islands (Table 1).

Table 1. 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 of the Falkland Islands has established laws and regulations related to child labor (Table 2). However, gaps exist in the Falkland Islands' legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and the prohibition of using children in illicit activities.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Section 3 of the Employment of Children Ordinance (7)
Minimum Age for Hazardous Work	No	16	Section 3 of the Employment of Children Ordinance; Sections 3 and 4A of the Employment of Women, Young Persons, and Children Act (7,8)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Section 3 of the Employment of Children Ordinance; Section 3 of the Employment of Women, Young Persons, and Children Act (7,8)
Prohibition of Forced Labor	No		Chapter 1, Section 4 of the Constitution Order (9)
Prohibition of Child Trafficking	No		Part 1, Sections 57–60 of the Sexual Offences Act (10)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Part 1 of the Sexual Offences Act (11)
Prohibition of Using Children in Illicit Activities	No		

Falkland Islands (Islas Malvinas)

MINIMAL ADVANCEMENT

Table 2. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	17	
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Education Amendment Ordinance; Chapter 1, Section 12 of the Constitution Order (9,11)
Free Public Education	Yes		Education Amendment Ordinance; Chapter 1, Section 12 of the Constitution Order (9,11)

* No conscription (12)

The minimum age of 14 for work is not in compliance with international standards. (7) The minimum age of 16 for hazardous work is not in compliance with international standards. (7,8)

The law does not prohibit adults from using, procuring, and offering a child in the production and trafficking of drugs in the Falkland Islands. Although child trafficking has not been identified as a problem, the law does not criminalize trafficking children for labor exploitation. (9,10,13) Also, the law does not criminally prohibit the recruitment of children by non-state armed groups.

Because 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.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor. However, in the Falkland Islands, the UK has established an institutional mechanism for the enforcement of labor laws (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Royal Falkland Islands Police	Enforce laws protecting children against abuses, including sexual abuses. (14)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor. However, the Government of the Falkland Islands has established a mechanism to coordinate efforts to address child labor (Table 4).

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Falkland Islands Safeguarding Children's Board	Ensures children's welfare, including protection from sexual abuses. Chaired by the Director of Health and Social Services, members include the Education Department, the Attorney General's Chambers, Social Services, Royal Falkland Islands Police, healthcare professionals, members of the Legislative Assembly, and a representative from the military community. (15) Held meetings in 2018 to discuss internet safety for children, the transport of children in vehicles by unrelated adults, and the Domestic Abuse Campaign, among other topics. (16, 17)

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor in the Falkland Islands (Table 5).

Table 5. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to at least 15 and up to the age to which education is compulsory in all sectors.	2017 – 2018
	Ensure that the minimum age for hazardous work is age 18.	2015 – 2018
	Ensure that the law protects all children under age 18 from being trafficked for any purpose, including labor exploitation.	2016 – 2018
	Ensure that the law prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2013 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2012 – 2018

REFERENCES

- U.S. Embassy- London. Reporting. January 24, 2017.
- U.S. Embassy- London. Reporting. January 17, 2018.
- U.S. Embassy- London. Email communication to USDOL official. May 8, 2014.
- U.S. Embassy- London. Reporting. February 6, 2019.
- U.S. Embassy- London. Reporting. January 22, 2016.
- U.S. Embassy- London. Reporting. January 15, 2015.
- Government of Falkland Islands. Employment of Children Ordinance 1966. 1966. https://legislation.gov.fk/download/pdf/7d3fdf38-7196-491d-a49a-955b2291614a/69a2b54c-e937-4e21-bb20-b82d7de75689/fiord-1966-1_2017-07-31.pdf.
- Government of Falkland Islands. Employment of Women, Young Persons and Children Ordinance 1967. 1967. https://legislation.gov.fk/download/pdf/72ee8a05-6d84-4f98-8664-42df7506dc88/4a7f2b82-9ab2-4ed4-8b38-a44c78e41f04/fiord-1967-1_2017-07-31.pdf.
- Government of the United Kingdom of Great Britain and Northern Ireland. South Atlantic Territories: The Falkland Islands Constitution Order 2008. Enacted: November 5, 2008. http://www.legislation.gov.uk/uksi/2008/2846/pdfs/uksi_20082846_en.pdf.
- Government of the United Kingdom of Great Britain and Northern Ireland. Sexual Offences Act 2003. Enacted: 2003. http://www.legislation.gov.uk/ukpga/2003/42/pdfs/ukpga_20030042_en.pdf.
- Government of the Falkland Islands. Education. Accessed February 25, 2016. <http://www.falklands.gov.fk/our-people/daily-life/education/>.
- CIA. The World Factbook: Falkland Islands (Islas Malvinas). Accessed August 6, 2018. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Falkland Islands (Islas Malvinas) (ratification: 2008) Published: 2014. Accessed 2014. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3145578.
- Government of the Falkland Islands. Child Protection, Government of Falkland Islands. Accessed May 31, 2018. <http://www.fig.gov.fk/legal/index.php/directorate/child-protection>.
- Government of the Falkland Islands. Falkland Islands Safeguarding Children Board. 2012. <http://www.falklands.gov.fk/more-information/fiscb/>.
- Government of the Falkland Islands. Safeguarding Children's Board Draft Open Minutes. September 13, 2018. <https://www.fig.gov.fk/assembly/committees/safeguarding-children-board>
- Government of the United Kingdom of Great Britain and Northern Ireland official. E-mail communication to USDOL official. August 12, 2019.

In 2018, Fiji made a moderate advancement in efforts to eliminate the worst forms of child labor. The government is extending its Free Education Grant to 52 additional schools over the next 2 years. The government also made child labor a strategic priority of its labor inspectorate and allocated additional resources and conducted additional inspections as part of the effort. However, children in Fiji engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. The government has not approved the draft National Action Plan on the Eradication of Child Labor, the 5-Year Strategic Plan for Combating Child Labor, the National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking, or the National Action Plan on the Eradication of Child Labor. In addition, the Inter-Agency Trafficking Task Force has not been active since 2012.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Fiji engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1-4) Table 1 provides key indicators on children's work and education in Fiji. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		102.8

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (5)

Data were unavailable from International Labor Organization's analysis, 2019. (6)

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	Cutting,† loading,† weeding, and spraying chemicals† on sugarcane (1,2,7)
	Planting, picking, and using chemicals† on tobacco (1)
	Planting, picking, and using chemicals† on tobacco (1)
	Collecting and splitting coconuts; harvesting rice; planting, harvesting, weeding, and spraying fertilizers on roots (including dalo and yaqona); and planting and harvesting other kinds of fruits and vegetables† (1)
	Pig farming and goat and cattle herding (1)
	Fishing† and deep-sea diving† (1,2,7)
Services	Street work, including pushing wheelbarrows for shoppers in markets, vending, washing cars, shining shoes, and begging (1,7-10)
	Domestic work (1,7,10)
	Working in garages, in retail shops, or roadside stalls (2,7,10)
	Selling fruit (1)
	Collecting bottles† and scrap metal† (1,7,10)

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,7,11-14)
	Forced labor in agriculture, begging, and domestic work, sometimes as a result of human trafficking (3,15,16)

† 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.

During the reporting period, the NGO Pacific Dialogue and ILO claimed to have received reports of children engaging in organized prostitution, including being advertised online.(7) Commercial sexual exploitation of children continued to occur in Fiji, particularly by family members, taxi drivers, foreign tourists, businessmen, and crew on foreign fishing vessels. (1,3,11-13,17) Parents sometimes send their children to live with families in cities or near schools to facilitate their continuing education and to perform light household work. Research found that some of these children are vulnerable to involuntary domestic work or are forced to engage in sexual activity in exchange for food, clothing, or shelter.(3,17-19)

The Ministry of Employment, Productivity, and Industrial Relations (MEPIR) maintains a database on child labor, which standardizes current and past data in all seven districts in Fiji, but MEPIR did not publish data on child labor during the reporting period. (7)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Fiji has ratified most 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 Fiji’s legal framework to adequately protect children from the worst forms of child labor, including light work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 92 of the Employment Relations Promulgation (20)
Minimum Age for Hazardous Work	Yes	18	Article 40 of the Employment Relations (Administration) Regulations; Hazardous Occupations Prohibited to Children Under 18 Years of Age Order (21,22)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations Prohibited to Children Under 18 Years of Age Order (22)
Prohibition of Forced Labor	Yes		Articles 6 and 91 of the Employment Relations Promulgation; Articles 20–21 of the Immigration Act; Articles 102–103 and 111–121 of the Crimes Decree (20,23,24)
Prohibition of Child Trafficking	Yes		Article 91 of the Employment Relations Promulgation; Article 20 of the Immigration Act; Articles 111–121 of the Crimes Decree (20,23,24)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 91 of the Employment Relations Promulgation; Articles 225–227 of the Crimes Decree; Article 62A of the Juveniles (Amendment) Act (20,23,24)
Prohibition of Using Children in Illicit Activities	Yes		Article 91 of the Employment Relations Promulgation; Article 58 of the Juveniles Act (20,26)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 7 of the Royal Fiji Military Forces Act (27)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 7 of the Royal Fiji Military Forces Act (27)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15	Compulsory Education Order; Compulsory Education Regulations (28)
Free Public Education	No		

* No conscription (27)

The Employment Relations Promulgation specifies the conditions under which children ages 13 to 15 may engage in light work, but does not include a list of activities that are permissible. (20,29) In addition, Fijian law does not criminally prohibit the recruitment of children under age 18 by non-state armed groups. (2) Although it does not appear that there are any laws that provide free basic education, the government has a policy that provides for free basic education. (30,31)

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 MEPIR that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Productivity, and Industrial Relations (MEPIR)	Lead agency responsible for enforcing laws related to child labor. Investigates places of employment and child labor law violations. (7) Monitors compliance with the minimum age for employment requirements and the Employment Relations Promulgation. (2,7,8) Oversees 14 Divisional Labor Offices responsible for investigating cases of child labor and making appropriate referrals. (8) Coordinates activities at the national, divisional, and district levels through the regional Inter-agency Committees on Child Abuse, including conducting trainings on child labor. Maintains a 24-hour phone line to accept reports of child labor and refers children to social services when appropriate. (2,7,29) With the establishment of a Labor Inspection System on Child Labor, 200 child labor cases have been investigated since 2011. (32,33)
Ministry of Women, Children, and Poverty Alleviation	Responsible for women and gender issues, including violence against women and children. (34) In 2018, the ministry provided: \$90,000 to Homes of Hope NGO to help victims of sexual abuse and human trafficking. The Poverty Benefit Scheme, which assisted 25,000 people with cash benefits and food vouchers, received \$18.5 million, a 15 percent increase from 2017.(7) Additionally, during the reporting period, the budget for the Child Protection Allowance, which helped 1,030 recipients, including single mothers, widows, and children, was increased by \$1.1 million. In addition, the Child Protection Program received \$550,000 to enact recommendations from the Committee on the Convention on the Rights of the Child. (7)
Employment Relations Tribunal	Adjudicates alleged violations of child labor provisions in the Employment Relations Promulgation. (2,7)
Fiji Police Force	Investigates criminal violations regarding child labor, child trafficking, and commercial sexual exploitation. (7) Enforces laws on child trafficking, commercial sexual exploitation, and illicit activities. Maintains a Human Trafficking Unit (HTU) and provides training to other police units focused on combating human trafficking. (8,17) Collaborates with the Australian Federal Police to combat potential child sex tourism by Australian nationals, who comprise the largest tourist group visiting Fiji. (18) In 2019, will employ seven officers responsible for enforcing criminal laws related to the worst forms of child labor.(7,29)

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Department of Immigration	Responsible for immigration services, refugee services, and efforts to combat human trafficking. Administers and enforces Immigration, Passport, and Citizenship Acts.(7) Coordinates with the Fiji Police Force to investigate cases involving underage victims of commercial sexual exploitation and human trafficking, which are then tried in the criminal court system. (7)
Departments of Social Welfare and Public Prosecutions	Enforces laws on child trafficking. (31) Operates four homes and provides social services for child trafficking victims. (8,35)

In 2018, it was reported that the Fiji Police Force and the Department of Immigration began meeting quarterly to discuss human trafficking issues involving foreign nationals.(7) In addition, during the reporting period, the Fiji Police Force formalized the Human Trafficking Unit (HTU) to improve police anti-trafficking efforts within the country. (17)

Labor Law Enforcement

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

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	\$3.25 million (7)
Number of Labor Inspectors	106 (36)	71 (7)
Inspectorate Authorized to Assess Penalties	No	Yes (7)
Initial Training for New Labor Inspectors	Unknown	Yes (7)
Training on New Laws Related to Child Labor	Unknown	N/A (7)
Refresher Courses Provided	Unknown	Yes (7)
Number of Labor Inspections Conducted	2,800 (36)	3,800 (7)
Number Conducted at Worksite	2,800 (36)	3,800 (7)
Number of Child Labor Violations Found	16 (37)	13 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (37)	0 (7)
Number of Child Labor Penalties Imposed that Were Collected	0 (37)	0 (7)
Routine Inspections Conducted	Unknown	Yes (7)
Routine Inspections Targeted	Unknown	Yes (7)
Unannounced Inspections Permitted	Yes (2)	Yes (7)
Unannounced Inspections Conducted	Yes (37)	Yes (7)
Complaint Mechanism Exists	Yes (2)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (7)

In 2018, MEPIR set a goal of conducting 4,600 labor inspections between June 2018 and June 2019. (7) This would include 3,800 inspections in the formal sector, 800 in the informal sector, and 30 in child labor. The Ministry has also set the reduction of child labor as a strategic priority for the government, allocating a budget of \$160,000 budget to meet this goal.(7) MEPIR conducted outreach campaigns, including an additional 12,000 inspections in rural areas such as sugarcane farms.(7,38)

The Child Labor Unit within MEPIR was disbanded, and now all labor inspectors are expected to look for child labor violations during inspections.(7) Inspections are conducted in the workers' language, including English, Fijian Hindi, and vernacular Fijian. (2) Unannounced inspections are permitted within the informal sector, but inspectors must first seek the business owners' permission before conducting the inspection. If there is reasonable cause to believe that prior notification of an inspection will prejudice the performance of the inspector's duties, a police officer must accompany the inspector during the inspection. (7)

The Ministry of Women, Children, and Poverty Alleviation continued to fund the National Child Helpline for children who seek counseling, advice, and referrals for support services, and those who use it to report cases of child neglect and abuse. Research suggests that the helpline has received 33,643 calls since it was established in 2016. (37,39) In addition, the Inter-agency Committee on Child Abuse is responsible for sharing information on child labor cases, and when a referral is made, the committee is required to monitor the case. (2,4,7)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Fiji 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	Unknown	Yes (7)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (2)	N/A (7)
Refresher Courses Provided	Unknown	Yes (7)
Number of Investigations	Unknown	2 (7)
Number of Violations Found	Unknown	2 (7)
Number of Prosecutions Initiated	0 (37)	1 (7)
Number of Convictions	0 (37)	0 (7)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (40)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (7)

During the reporting period, subject matter experts conducted 10 lectures on human trafficking topics, including the exploitation of child labor, for law enforcement officials. (7) Additionally, the HTU conducted seven major trafficking-in-persons awareness trainings, including for new police recruits and public prosecutors. (17)

In Fiji, child labor cases can be referred, on a case-by-case basis, to the Department of Social Welfare and Public Prosecutions by criminal authority agencies, including the Fiji Police Force. (2,7)

During the reporting period, there were two criminal investigations into child labor, specifically involving the “selling of minors under the age of 18 years,” and “aggravated sexual servitude and domestic trafficking in children.” (7) In the ongoing case of aggravated sexual servitude and domestic trafficking of children, the accused was charged with one count of aggravated sexual servitude and three counts of domestic trafficking. There were no convictions during the reporting period. (7)

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 the inactivity of the Inter-Agency Trafficking Task Force.

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

Coordinating Body	Role & Description
Inter-Agency Network	Chaired by the Ministry of Labor. (38) Focuses on child labor issues at the district and provincial level. Monitors and reports cases of non-compliance. (41) Comprises inter-agency committees in nine towns in Fiji. (35,36) This body was active during the reporting period.
Inter-Agency Taskforce on Beggars	Addresses issues concerning children who beg and other exploited children. (35) Enforces zero-tolerance policy on child begging. (9) Ministry of Social Welfare and police regularly conduct patrols to identify and assist children. This body was active during the reporting period. (38)
Inter-Agency Trafficking Task Force	Implements the National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking. Headed by the Department of Immigration. (8,35,36)

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
Inter-Agency Committee on Child Abuse	Develops policies and procedures for the prevention of child labor, including training for communities, schools, and industries in which child labor occurs. (37) Investigates child labor cases, refers children to school, and monitors the cases when a referral is made. (2,4,7,37) Shares information on child labor cases, including the worst forms of child labor. (7) During the reporting period, data from 2016–2017 were released that indicated the committee co-facilitated 59 Prevention of Child Abuse and Neglect campaigns.
Regional Inter-Agency Committees on Child Abuse	Works on child labor issues. Comprising NGOs, Fiji Police Force, Public Prosecutor's Office, Solicitor General's Office, Department of Social Welfare, MEPIR, Ministry of Health, and Ministry of Education. (7)

The Inter-Agency Trafficking Task Force has not been active since 2012, and the lack of coordination may limit the government's effectiveness in efforts to combat child trafficking. (8,9) The Inter-Agency Working Group on People Trafficking, outlined in the National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking, has yet to be activated. (17)

Research was unable to determine whether the Regional Inter-Agency Committees on Child Abuse were active during the reporting period.

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 the lack of a national child labor action plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
United Nations Pacific Strategy (2018–2022)†	A multinational strategic framework, comprising 14 South Pacific nations, created to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (44)
Free Education Grant	Provides bus passes to students, and boats and outboard motors for island communities with staff and students commuting to school, with \$220,000 from the Ministry of Education in 2018. (7) Provides 12 years of tuition-free education for children with Fijian citizenship in 904 eligible primary and secondary schools, with 52 schools to be added over the next 2 years. Provided approximately \$32 million for tuition-free education and textbooks during the 2017–2018 fiscal year, an increase from the previous year. (19,30,37,45,46) This policy was active during the reporting period.

† Policy was approved during the reporting period.

During the reporting period, the government continued to support all existing anti-child labor policies. In addition, the Government of Fiji has set a goal to accelerate the eradication of child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. (7) Although the government completed a draft of the National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking in 2011, the plan has not been implemented. (3,17,42,40,47) Additionally, the government has not yet approved a draft National Action Plan for Child Labor, the 5-Year Strategic Plan for Combating Child Labor, the National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking, or the National Action Plan on the Eradication of Child Labor. (7,19,29,37,48,49)

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 addressing the needs of children in rural areas.

Table 10. Key Social Programs to Address Child Labor

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)*	Multi-country program in 14 Pacific Island countries. (51) Prioritizes children's rights including the elimination of the worst forms of child labor. Aligned with the UN Pacific Strategy 2018–2022. (51) During the reporting period, sponsored trainings for government officials on the rights of children, including trainings on child abuse and child labor. Provided \$126,000 to the Ministry of Education to enhance government capacity to provide child protection services. (38)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Safety Net Project†	Program that funds rehabilitation services for females who are under 18 and victims of commercial sexual exploitation. Receives referrals from various entities, including the Fiji Police. (52) This program was active during the reporting period. (38)
Food Voucher and Bus Fare Assistance†	Ministry of Education program that provides to families, whose combined annual income is less than \$7,382, \$24 in food vouchers and subsidized bus fares to offset the cost of education for children attending remote schools. (30,37,41,45,46) This program was active during the reporting period. (38)
Tuition Fee Free Grant†	Ministry of Education began to provide a subsidized tuition fee free grant for early childhood education centers or students attending preschool. (19) This program was active during the reporting period. (38)
Child Protection Program†	Administered by the Ministry of Women, Children, and Poverty Alleviation. In 2018, the government provided \$550,000 to enact recommendations from the Committee on the Convention on the Rights of the Child. (7)
Child Protection Allowance†	Administered by the Ministry of Women, Children, and Poverty Alleviation. In 2018, funding increased by \$1.1 million, and now assists 1,030 recipients, including single mothers, widows, and children. (7)
The Poverty Benefit Scheme†	Administered by the Ministry of Women, Children, and Poverty Alleviation. Assists 25,000 people with cash benefits and food vouchers. (7) In 2018, received 15 percent increase in funding to \$18.5 million. (7)
Homes of Hope†	NGO program that assists victims of sexual abuse and human trafficking. The Ministry of Women, Children, and Poverty Alleviation contributed \$90,000 during the reporting period. (7)

* Program was launched during the reporting period.

† Program is funded by the Government of Fiji.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (9,53)

During the reporting period, the government provided \$900,000 to the Ministry of Youth and Sports for programs dealing with job training and skills development. Additionally, the government has set the goal of conducting five child labor training sessions for the sugarcane industry. (7)

However, the government has insufficient social programs available to address the particular needs of child victims of human trafficking and commercial sexual exploitation, especially for boys and for children in remote areas. (54,55) NGOs provide limited support services, but these are concentrated in the capital city of Suva. (54,56)

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 Fiji (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and the UN CRC Optional Protocol on Armed Conflict.	2013 – 2018
	Establish by law free basic public education.	2016 – 2018
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2015 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
Enforcement	Allow unannounced inspections within the informal sector without having to first request permission from the owner.	2018
Coordination	Ensure that the Inter-Agency Trafficking Task Force meets regularly to address implementation of the National Plan of Action to Eliminate Trafficking in Persons and Child Trafficking and to strengthen government efforts to combat the worst forms of child labor.	2014 – 2018
	Activate the Inter-Agency Working Group on People Trafficking by implementing the National Plan of Action to Eliminate Trafficking in Persons and Child Trafficking.	2018
	Ensure that the Regional Inter-Agency Committees on Child Abuse meet regularly.	2018

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Government Policies	Finalize and implement the National Action Plan for Child Labor, the 5-Year Strategic Plan for Combating Child Labor, the National Plan of Action to Eliminate Trafficking in Persons and Child Trafficking, and the National Action Plan on the Eradication of Child Labor.	2013 – 2018
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2018
	Increase the availability of support services for child victims of commercial sexual exploitation and human trafficking, including adequate counseling and specialized shelters, especially for boys and for children in remote areas.	2010 – 2018

REFERENCES

- ILO-IPEC. Child Labour in Fiji: A Survey of Working Children in Commercial Sexual Exploitation, on the Streets, in Rural Agricultural Communities, in Informal and Squatter Settlements and in Schools. Suva, January 12, 2010. <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=16815>.
- U.S. Embassy- Suva. Reporting. January 9, 2018.
- U.S. Department of State. Trafficking in Person Report- 2018: Fiji. Washington, DC, June 27, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/fiji/>.
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Fiji (Ratification: 2002). Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3331681:NO.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Suva. Reporting. January 16, 2019.
- U.S. Embassy- Suva. Reporting. January 15, 2015.
- U.S. Embassy- Suva. Reporting. December 31, 2015.
- ILO. Sub-regional child labour and trafficking forum. Nadi, April 2015. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/publication/wcms_405960.pdf.
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Fiji (Ratification: 2002). Published: 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3174267:YES.
- Wise, Margaret. Sold for Sex. Fiji Times, October 6, 2017. <http://fijitimes.com/story.aspx?id=418949>.
- Vakasukawaqa, Arieta. Culture Of Silence, Taboo, Camouflages Sex Exploitation. Fiji Sun, October 5, 2017. <http://fijisun.com.fj/2017/10/05/culture-of-silence-taboo-camouflages-sex-exploitation/>.
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Fiji (Ratification: 2002). Accessed: January 11, 2019. Source on file.
- U.S. Department of State official. Email communication to USDOL official. March 13, 2014.
- U.S. Embassy- Suva. Reporting. February 17, 2015.
- U.S. Embassy- Suva. Reporting. March 18, 2019.
- U.S. Embassy- Suva. Reporting. February 6, 2017.
- U.S. Embassy- Suva official. Email communication to USDOL official. May 17, 2017.
- Government of Fiji. Employment Relations Promulgation 2007, 36. Enacted: 2007. http://www.ilo.org/dyn/travail/docs/820/Employment_Relations_Promulgation_2007.pdf.
- Government of Fiji. Employment Relations (Administration) Regulations. Enacted: 2008. http://www.labour.gov.fj/erp2008/ERPREGS/ERP_Admin_Regs_2008.pdf.
- Government of Fiji. The Hazardous Occupations Prohibited to Children Under 18. Enacted: May 28, 2013. Source on file.
- Government of Fiji. Immigration Act 2003, 17. Enacted: 2003. http://www.paclii.org/fj/legis/num_act/ia2003138/.
- Government of Fiji. Crimes Decree 2009, 44. Enacted: 2009. [http://www.fiji.gov.fj/getattachment/604e31fc-c7b1-41a0-9686-71377917b6eb/Decree-No-44---Crimes-Decree-2009-\(pdf\).aspx](http://www.fiji.gov.fj/getattachment/604e31fc-c7b1-41a0-9686-71377917b6eb/Decree-No-44---Crimes-Decree-2009-(pdf).aspx).
- Government of Fiji. Juveniles (Amendment) Act, 29. Enacted: 1997. Source on file.
- Government of Fiji. Juveniles Act, Chapter 56. Enacted: 1997. http://www.paclii.org/fj/legis/consol_act/ja129/.
- Government of Fiji. Royal Fiji Military Forces Act, Chapter 81, (1949). http://www.paclii.org/fj/legis/consol_act/rfmfa276/.
- UNESCO. World Data on Education: VII Ed. 2010/11. June 2011. http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Fiji.pdf.
- U.S. Embassy- Suva. Reporting. December 19, 2016.
- Valemei, Ropate. Education allocation. Fiji Times. July 5, 2016. <http://www.fijitimes.com/story.aspx?id=361056>.
- Government of Fiji. Policy on Tuition Fee Free Grant for Primary and Secondary Schools. Ministry of Education, Heritage and Arts, 2016. http://www.education.gov.fj/images/2016/Tuition_Fee_Free_Grant_Policy_for_Primary_and_Secondary_Schools.pdf.
- Lacanalvu, Losirene. System Detects 200 Child Labour Cases. Suva: Fiji Sun Online, May 17, 2018. Source on file.
- RNZ 200 cases of child labour in Fiji since 2011. June 12, 2018. Source on File.
- Government of Fiji. Ministry of Women, Children and Poverty Alleviation webpage. Accessed May 13, 2019. <https://www.fiji.gov.fj/Government-Directory/Ministries-and-Department/Ministry-of-Women-Social-Welfare-and-Poverty-Alle.aspx>.
- U.S. Embassy- Suva. Reporting. January 26, 2014.
- U.S. Embassy- Suva. Reporting. February 18, 2014.
- U.S. Department of State official. Email communication to USDOL official. May 7, 2018.
- U.S. Embassy- Suva official. Email correspondence with USDOL official. June 25, 2019.
- Tuilevuka, Nacanieli. Child Helpline Receives Fake Calls. Fiji Sun, <http://fijisun.com.fj/2017/12/12/child-helpline-receives-fake-calls/>.
- U.S. Embassy- Suva official. Email communication with USDOL official. January 30, 2019.

- 41 Government of Fiji. Child Labour Unit Progress Update on Tackling Child February 6, 2014. Source on file.
- 42 U.S. Department of State official. Email communication to USDOL official. January 30, 2019.
- 43 Government of Fiji. Draft National Plan of Action to Eradicate Trafficking in Persons & Child Trafficking. 2011. Source on file.
- 44 United Nations. United Nations Pacific Strategy 2018–2022: A Multi-Country Sustainable Development Framework in the Pacific Region. United Nations in the Pacific, 2017.
https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf.
- 45 Government of Fiji. 2014 Fijian Government Education Grant Factsheet. November 24, 2013: Press Release,
<http://www.fiji.gov.fj/Media-Center/Press-Releases/2014-Fijian-Government-Education-Grant-Factsheet.aspx>.
- 46 Government of Fiji. Final Batch of Free Education Grant Disbursement to School. January 9, 2014: Press Release,
<http://www.fiji.gov.fj/Media-Center/Press-Releases/FINAL-BATCH-OF-FREE-EDUCATION-GRANT-DISBURSEMENT-T.aspx>.
- 47 Government of Fiji- Department of Fiji Immigration. National Plan of Action to Eradicate Trafficking in Persons & Child Trafficking. 2011. Source on File.
- 48 Silaitoga, Serafina. 188 child labour cases. Fiji Times, October 25, 2016.
<http://www.fijitimes.com/story.aspx?id=375966>.
- 49 Government of Fiji. IV Global Conference on the Eradication of Child Labor. November 10, 2017.
<http://www.childlabour2017.org/en/resources/updates/pledges>.
- 50 ILO. TACKLE FIJI: Tackling Child Labour Through Education in Fiji Phase 2. Project Description, March 2015.
http://www.ilo.org/suva/projects/WCMS_359154/lang--en/index.htm.
- 51 UN. Strategy Note for the 2018–2022 Pacific Multi-Country Programme of Cooperation. New York, October 10, 2017. Source on file.
- 52 Government of Fiji. Social Welfare Ministry Tackles Child Trafficking and Sexual September 13, 2013.
<http://www.fiji.gov.fj/Media-Center/Press-Releases/SOCIAL-WELFARE-MINISTRY-TACKLES-CHILDTRAFFICKING->.
- 53 U.S. Embassy- Suva. Reporting. February 1, 2016.
- 54 U.S. Embassy- Suva official. Email communication to USDOL official. March 31, 2016.
- 55 UN Committee on the Rights of the Child. Consideration of Reports submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Fiji. September 19, 2014: CRC/C/FI/CO/2-4, Source on file.
- 56 U.S. Embassy- Suva official. Email communication to USDOL official. February 6, 2014.

In 2018, Gabon made a minimal advancement in efforts to eliminate the worst forms of child labor. The government investigated 16 individuals for forced child labor and signed bilateral agreements with Benin and Togo to combat child trafficking. The Senate also approved amendments to the Penal Code that increased penalties for human trafficking. Despite new initiatives to address child labor, Gabon is receiving an assessment of minimal advancement because it failed to conduct worksite inspections during the reporting period. Children in Gabon engage in the worst forms of child labor, including in commercial sexual exploitation. Children also engage in child labor in domestic work. The government also lacks prohibitions against the use of children in illicit activities and the minimum age for work provisions only apply to children in formal employment relationships, excluding children who work in the informal sector. In addition, labor inspectors do not have the authority to assess penalties, and they lack the basic resources, such as transportation, fuel, and office supplies, necessary to conduct investigations.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Gabon engage in the worst forms of child labor, including in commercial sexual exploitation. Children also engage in child labor in domestic work. (1-8) Table 1 provides key indicators on children's work and education in Gabon. 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	22.3 (83,073)
Attending School (%)	5 to 14	94.4
Combining Work and School (%)	7 to 14	23.3
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019. (9)

Source for all other data: International Labor Organization's analysis of statistics from Deuxième Enquête Démographique et de Santé au Gabon (EDSG-II), 2012. (10)

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	Fishing, including the production and sale of smoked fish (1)
Industry	Working in sand quarries† (1-3)
	Working in brick factories (1)
Services	Domestic work (1,4-7)
	Street vending, including cleaning market spaces at night and carrying heavy loads† (1,7)
	Garbage scavenging (1)
	Working in restaurants (2,3)
Categorical Worst Forms of Child Labor‡	Working in transportation† and as mechanics (1-3,8)
	Forced labor in markets, restaurants, handicraft shops, sand quarries, farming, animal husbandry, fishing, domestic work, and as mechanics, each sometimes as a result of human trafficking (1,5,11,12)
	Commercial sexual exploitation, sometimes as a result of human trafficking (6,7,11,13-15)

† 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.

Gabon

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

Gabon is primarily a destination and transit country for victims of child trafficking from other countries in Central and West Africa. (4,6,8,13,14,16,17) Some parents entrust their children to intermediaries who promise education and safe work opportunities; instead, these children are sometimes subjected to child trafficking for labor exploitation. However, there is limited evidence of child trafficking occurring within Gabon. (14,17) Data on child labor have not been collected in Gabon since 2012. (18)

Although the Law on General Education guarantees the right to free and compulsory education, in practice students must pay for supplies and school fees, which may be prohibitive. (8,19) Rural areas also lack schools and teachers, and education beyond primary school is often unavailable. (1,8,20,21) Reports suggest that some children, especially girls, are sexually abused at school. (2,8,11,22) In addition, children living in remote areas may not receive birth certificates, which are often required for school enrollment, and children who do not attend school are more vulnerable to child labor. (1,2)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Gabon 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 Gabon's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 177 of the Labor Code; Article 2 of Decree N° 0651/PR/MTEPS Establishing Individual Exceptions to the Minimum Age for Admission to Employment (23-25)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Hazardous Work List (23-26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2, 3, and 5 of the Hazardous Work List (23-26)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Articles 3, 11–13, and 20 of Law N° 09/04 Preventing and Fighting Against Child Trafficking (23,27)
Prohibition of Child Trafficking	No		Articles 3, 11–14, and 20 of Law N° 09/04 Preventing and Fighting Against Child Trafficking; Article 278 bis of the Penal Code (27-29)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 260–261 and 263 of the Penal Code (29)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes*	18	Article 17 of the Law on the Organization of National Defense and Public Security (18,30)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 17 of the Law on the Organization of National Defense and Public Security (18,30)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 1 of the Constitution; Article 2 of Act N° 21/2011 on General Education; Article 344.8 of the Penal Code (19,29,31)
Free Public Education	Yes		Articles 1.18 and 1.19 of the Constitution; Article 2 of Act N° 21/2011 on General Education (19,31)

* No conscription (32)

In December 2018, the Senate approved amendments to the Penal Code, which would criminalize all forms of human trafficking and increase penalties. However, the president has yet to sign these amendments, which is required for promulgation. (1,33) Furthermore, laws related to child trafficking are not in line with international standards, because they do not prohibit child trafficking for the purpose of sexual exploitation. (23,27,29)

Article 2 of Decree N° 0651/PR/MTEPS Establishing Individual Exceptions to the Minimum Age for Admission to Employment permits children under age 16 to perform light work with parental permission. However, it does not set a minimum age for light work or specify the kinds of light work that are allowed. (25) In addition, although the Labor Code prohibits work by children under age 16, the minimum age protections do not apply to children outside of formal work relationships, which does not conform to international standards that require all children be protected under the law. (3,23)

The law also does not criminally prohibit producing child pornography or procuring or offering children for pornographic performances. (12,29)

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, the absence of worksite inspections conducted at the national level in Gabon impeded the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Administration, Innovation, Public Services, and Labor (MOL)	Receives, investigates, and addresses child labor complaints through its inspectors. (20) Refers cases of child trafficking to the Ministry of the Interior's Police Force for investigation and the Ministry of Health, Social Protection and National Solidarity (MSPNS) for social services. (1)
Ministry of the Interior's Police Force	Enforces laws, investigates child labor violations, and refers cases to the Ministry of Justice and Human Rights for prosecution. (1,20)
Ministry of Justice and Human Rights	Enforces child labor laws by prosecuting child labor cases. Assists in supporting victims of child trafficking while prosecutors and investigators prepare their cases. (1)
Ministry of Health, Social Protection and National Solidarity (MSPNS)	Provides social services and assistance to vulnerable children, assists in repatriation or resettlement processes for victims of child trafficking, and operates shelters for victims of child trafficking. (1,14)

Labor Law Enforcement

In 2018, the absence of worksite inspections conducted at the national level in Gabon may have impeded the enforcement of child labor laws. (Table 6)

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (34)	Unknown (1)
Number of Labor Inspectors	Unknown (34)	Unknown (1)
Inspectorate Authorized to Assess Penalties	No (23,34)	No (23)
Initial Training for New Labor Inspectors	Yes (34)	No (1)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (35)	Yes (20)
Number of Labor Inspections Conducted	Unknown (34)	0 (1)
Number Conducted at Worksite	Unknown (34)	N/A
Number of Child Labor Violations Found	1 (34)	0 (20)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (34)	0 (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (34)	N/A
Routine Inspections Conducted	No (34)	No (1)
Routine Inspections Targeted	N/A (34)	N/A
Unannounced Inspections Permitted	Yes (36)	Yes (36)
Unannounced Inspections Conducted	No (34)	No (1)
Complaint Mechanism Exists	Yes (34)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (34)	Yes (1)

Inspectors lack the resources, including transportation, fuel, and office supplies, necessary to conduct inspections. (1,3,20) Inadequate resources, including an insufficient number of inspectors, may also hamper the labor inspectorate’s capacity to adequately monitor the informal sector. (20) Labor inspectors in Gabon are responsible for reconciling labor disputes, which may detract from their primary duty of inspection. (37) The government did not provide information on labor inspectorate funding or the number of labor inspectors for inclusion in this report. (1)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Gabon 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 insufficient financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	No (34)	No (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (34)	N/A
Refresher Courses Provided	Yes (34)	Yes (37,38)
Number of Investigations	1 (14)	0 (1)
Number of Violations Found	65 (14)	50 (20)
Number of Prosecutions Initiated	0 (14)	0 (33)
Number of Convictions	0 (14)	0 (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (14)	No (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (34)	Yes (1)

During the reporting period, the Ministry of Justice, with the support of UNICEF, organized a training for immigration officials on identifying and investigating trafficking cases. (14,37) However, like labor inspectors, police investigators lack resources, such as transportation, fuel, and office supplies, and coordination among enforcement agencies is weak. (1,12,14)

In general, the prosecution of child trafficking cases in Gabon can be difficult due to a lack of training, infrequent convening of the Criminal Court, a failure to prioritize cases involving children, and a backlog of cases. (12,14,15)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

There are currently 17 pending cases of child trafficking, but no prosecutions were initiated during the reporting period. (38) Research indicates that some child trafficking perpetrators falsified documents to make victims appear older than age 18 to avoid punishment under Gabon’s child trafficking laws. (7,14)

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 adequate funding.

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

Coordinating Body	Role & Description
Inter-ministerial Committee for the Fight Against Child Trafficking (CNSLTE)	Coordinates national efforts against child trafficking and other worst forms of child labor. Led by MOL, includes representatives from four other ministries and civil society. (1,20) Removes children from exploitative labor situations, provides social services, and repatriates victims when appropriate. (8,14,20) Disseminates the National Manual of Procedures for the Care of Child Victims of Trafficking, which establishes a series of procedures to return victims of child trafficking to their country of origin or facilitate their integration into Gabon. (38) Operated on an ad hoc basis in 2018 to respond to victim needs. (1)
National Observatory for Children’s Rights	Coordinates the implementation of the UN CRC, including the promotion of children’s right to education and protection against all forms of exploitation and abuse. (8) Establishes and oversees committees to protect children’s rights in all provinces. (39)
Local Vigilance Committees	Administered by the CNSLTE and located in provincial capitals, identifies potential cases of child trafficking, intercept victims, and assist children at risk of child trafficking. (8,18)

Research indicates that the Inter-ministerial Committee for the Fight Against Child Trafficking (CNSLTE) lacked sufficient funding, and members sometimes used their own funds to support trafficking victims. (1,38) In addition, both the National Observatory for Children’s Rights and Local Vigilance Committees were inactive during the reporting period. (1)

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 failure to implement a policy covering all relevant forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
CNSLTE’s 2017–2018 Plan of Action	Aims to address the worst forms of child labor, with a focus on increasing prosecution of offenders and shortening the length of time victims spend at shelters. (1,38)
Economic Recovery Plan (2017–2019)	Aims to balance public finances, diversify the economy, and reduce poverty. Includes the goal of improving the quality of public education, addressing the teacher deficit, and accelerating the construction of classrooms. (40) This plan was not implemented in 2018. (33)

In 2018, the Government of Gabon signed bilateral agreements with Benin and Togo to combat child trafficking. (41,42) However, research found no evidence of an active policy to address child labor, and implementation of the CNSLTE’s Plan of Action was limited due to funding constraints and strikes by civil servants. (1,38)

The government has not included child labor elimination and prevention strategies in the UNDAF (2018–2022), the National Youth Policy of Gabon, and the Education Policy (2010–2020). (5,43,44)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government participated in programs that may contribute to 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
Shelters for Children in Need	Shelters that provide social services to victims of child labor and child trafficking. The government provided in-kind support to shelters run by civil society organizations. (1,5,14,16,36) Victims receive medical care, literacy training, and reintegration support. (1) In 2018, provided services to 50 victims of child trafficking and signed an agreement with a local hospital to procure medical care for children. (38)

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

Although Gabon has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. (1) Research also indicates that shelter space is insufficient to accommodate all victims, and the government decreased funding for shelters and NGOs that provide social services to human trafficking victims and other vulnerable children. (1,5,14,15,15,18)

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 Gabon (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

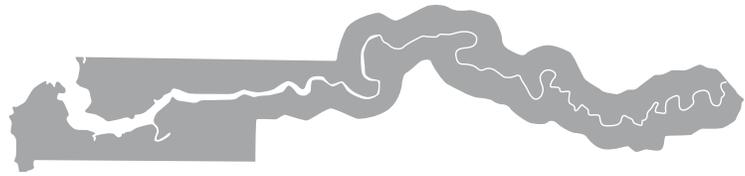
Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age protections are extended to children working outside of formal employment relationships.	2017 – 2018
	Establish criminal prohibitions for child trafficking for the purpose of sexual exploitation	2015 – 2018
	Establish criminal prohibitions for producing child pornography and procuring or offering children for pornographic performances.	2015 – 2018
	Establish criminal prohibitions for using children in illicit activities, including both producing and trafficking of drugs.	2009 – 2018
	Establish criminal prohibitions for the recruitment of children under age 18 for use in armed conflict by non-state armed groups.	2016 – 2018
	Ensure that the legal framework for light work establishes a minimum age no younger than age 13, determines activities that are considered light work, and specifies the conditions under which light work may be undertaken.	2013 – 2018
Enforcement	Publish information on the funding level for the labor inspectorate and number of labor inspectors, and ensure both inspectors and investigators receive adequate funding and resources to carry out inspections and investigations.	2009 – 2018
	Strengthen the labor inspectorate by authorizing inspectors to assess penalties, and conduct routine and unannounced inspections, including in the informal sector.	2014 – 2018
	Ensure that the government conducts an adequate number of labor inspections and criminal investigations.	2018
	Ensure that labor inspectors are not tasked with conciliation or arbitration duties, and that they can carry out their primary duties of inspection and monitoring throughout the country.	2009 – 2018
	Ensure that prosecutions related to criminal violations of child labor laws are carried out and that perpetrators are punished in accordance with the law.	2016 – 2018
Coordination	Ensure that coordinating bodies have sufficient funds to carry out their mandates and that all coordinating bodies are active.	2013 – 2018
Government Policies	Adopt a policy that addresses child labor, including in activities such as domestic work and work in transportation, and ensure that existing policies have sufficient resources to be implemented.	2015 – 2018
	Integrate child labor elimination and prevention strategies into existing policies.	2014 – 2018
Social Programs	Conduct a national child labor survey or similar research to determine the specific activities carried out by working children to inform policies and programs.	2014 – 2018
	Ensure that children have access to education by eliminating school fees, increasing the number of teachers and schools in rural areas, and ensuring that schools are free from sexual abuse; make efforts to provide all children with birth registration.	2010 – 2018
	Expand existing programs to address the scope of the child labor problem and ensure that the government continues to provide adequate support to victims of child labor, including sufficient shelter space for victims.	2010 – 2018

REFERENCES

- 1 U.S. Embassy- Libreville. Reporting. January 14, 2019.
- 2 UN Committee on the Rights of the Child. Concluding observations on the second periodic report of Gabon. Geneva, July 8, 2016: CRC/C/GAB/CO/2. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/GAB/CO/2&Lang=En.
- 3 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Gabon (ratification: 2010) Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3286367.
- 4 ILO-IPEC. Atelier de restitution des résultats des analyses de la situation des enfants travailleurs domestiques au Gabon et pour l'adoption d'un document cadre sur la réponse institutionnelle et législative en vue de leur protection: Rapport Général. Libreville, March 24-26, 2015. Source on file.
- 5 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Gabon (ratification: 2001). Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3286371.
- 6 Ametokpo, Shalom. Grand reportage/Gabon : Le paradis « cauchemardesque» pour certains Togolais. March 16, 2017. <http://www.27avril.com/blog/diaspora/grand-reportage-gabon-paradis-cauchemardesque-certains-togolais>.
- 7 Agence France-Presse. Gabon struggles to stem tide of child trafficking. July 4, 2018. <https://www.timeslive.co.za/news/africa/2018-07-04-gabon-struggles-to-stem-tide-of-child-trafficking/>.
- 8 UN Committee on the Rights of the Child. Examen des rapports soumis par les États parties en application de l'article 44 de la Convention. Geneva, December 29, 2014: CRC/C/GAB/2. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/GAB/2&Lang=en.
- 9 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 10 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Deuxième Enquête Démographique et de Santé au Gabon (EDSG-II), 2012. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 11 UN Committee on the Elimination of Discrimination Against Women. Concluding observations on the sixth periodic report of Gabon. Geneva, March 11, 2015: CEDAW/C/GAB/CO/6. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/GAB/CO/6&Lang=En.
- 12 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Gabon (ratification: 2001). Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3286374.
- 13 The Guardian. Police Evolve Strategies to Combat Cross-Border Banditry in Lagos, Ogun. November 5, 2015. <https://guardian.ng/news/nigeria/national/police-evolve-strategies-to-combat-cross-border-banditry-in-lagos-ogun/>.
- 14 U.S. Department of State. Trafficking in Persons Report- 2018: Gabon. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/gabon/>
- 15 UN Committee on the Rights of the Child. Concluding observations on the report submitted by Gabon 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. Geneva, July 14, 2016: CRC/C/OPSC/GAB/CO/1. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPSC/GAB/CO/1&Lang=En.
- 16 IOM. IOM Helps Togolese Girls Trafficked in Gabon to Return Home. ModernGhana.com, November 20, 2015. <http://www.modernghana.com/news/657075/1/iom-helps-togolese-girls-trafficked-in-gabon-to-re.html>.
- 17 The Coca-Cola Company. Review of Child Labour, Forced Labour and Land Rights in the Gabon Sugarcane Supply Chain. 2017. <https://www.coca-colacompany.com/content/dam/journey/us/en/private/2017/03/sugar-study-gabon.pdf>.
- 18 U.S. Embassy- Libreville official. Email communication to USDOL official. June 6, 2018.
- 19 Government of the Gabonese Republic. Loi portant orientation générale de l'éducation, de la formation et de la recherche, Loi N° 21/2011. Enacted: February 11, 2012. <http://www.axl.cefan.ulaval.ca/afrique/gabon-loi-2011.htm>.
- 20 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Gabon. Washington, DC: March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/gabon/>
- 21 Government of the Gabonese Republic. Examen national 2015 de l'Éducation pour tous au Gabon. Paris, 2015. <http://unesdoc.unesco.org/images/0023/002310/231078f.pdf>.
- 22 Agence de Presse Africaine. Plus de 2000 enfants victimes de maltraitance au Gabon (étude). alibreville.com, September 11, 2015. <http://news.alibreville.com/h/46380.html>.
- 23 Government of the Gabonese Republic. Code du Travail, Loi N° 3/94. Enacted: November 21, 1994. <http://www.ilo.org/dyn/natlex/docs/WBTEXT/39615/64948/F94GAB01.htm>.
- 24 Government of the Gabonese Republic. Ordonnance portant modification de certaines dispositions du Code du Travail de la République Gabonaise, Ordonnance N° 018/PR/2010. Enacted: February 25, 2010. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=85242&p_country=GAB.
- 25 Government of the Gabonese Republic. Décret fixant les dérogations individuelles à l'âge minimum d'admission à l'emploi en République Gabonaise, Décret N° 0651/PR/MTEPS. Enacted: April 13, 2011. <http://faolex.fao.org/docs/pdf/gab107288.pdf>.
- 26 Government of the Gabonese Republic. Décret n°0023/PR/MEEDD du 16 2013, fixant la nature des pires formes de travail et les catégories d'entreprises interdites aux enfants de moins de 18 ans. Enacted: January 16, 2013. <http://www.sgg.gouv.ga/820-0023-pr-meedd/>.
- 27 Government of the Gabonese Republic. Loi relative à la prévention et à la lutte contre le trafic des enfants en République Gabonaise, Loi N° 009/2004. Enacted: September 21, 2004. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=70261&p_country=GAB&p_count=194.
- 28 Government of the Gabonese Republic. Ordonnance modifiant et complétant certaines dispositions du Code pénal, Ordonnance N° 4/2001/PR. Enacted: August 14, 2001. Source on file.
- 29 Government of the Gabonese Republic. Penal Code, Loi N° 21/63. Enacted: May 31, 1963. Source on file.
- 30 Government of the Gabonese Republic. Portant Organisation Generale de la Defense Nationale et de la Securite Publique, Loi N° 004/98. Enacted: February 20, 1998. <http://www.defense-nationale.gouv.ga/textes-de-base/loi-n00498>.

- 31 Government of the Gabonese Republic. Constitution de la République Gabonaise. Enacted: 2003.
http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=34815&p_country=GAB&p_count=182&p_classification=01.01&p_classcount=5.
- 32 Child Soldiers International. Gabon Country Page. Accessed February 23, 2018.
<http://childsoldiersworldindex.org/view/GA>.
- 33 U.S. Embassy- Libreville official. Email communication to USDOL official. June 11, 2019.
- 34 U.S. Embassy- Libreville. Reporting. February 16, 2018.
- 35 Redac Chef. Gabon: Les inspecteurs formés sur le trafic d'enfants. InfosGABON, July 30, 2017.
<https://fr.infosgabon.com/gabon-les-inspecteurs-formes-sur-le-traffic-denfants/>.
- 36 Government of the Gabonese Republic. Décret fixant les conditions des contrôles, enquêtes et perquisitions relatives à la prévention et à la lutte contre le trafic des enfants en République Gabonaise, Décret N° 24/PR/MTE. Enacted: January 6, 2005. Source on file.
- 37 Yabangoye, Tokyo. Traite des enfants : Le Gabon veut renforcer sa lutte. June 6, 2018.
<http://gabonreview.com/blog/traite-des-enfants-le-gabon-veut-renforcer-sa-lutte/>.
- 38 U.S. Embassy- Libreville. Reporting. February 13, 2019.
- 39 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Gabon (ratification: 2010). Published: 2017.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3286364.
- 40 Government of the Gabonese Republic. Plan de Relance de l'Economie 2017 - 2019. 2017.
<http://sgg.gouv.ga/plan-de-relance-economique20172019>.
- 41 Gouvernement de la République Gabonaise et le Gouvernement de la République Togolaise. Accord de Coopération entre le Gouvernement de la République Gabonaise et le Gouvernement de la République Togolaise en Matière de Lutte Contre la Traite des Enfants. September 25, 2018. Source on file.
- 42 Gouvernement de la République Gabonaise et le Gouvernement de la République du Bénin. Accord de Coopération entre le Gouvernement de la République Gabonaise et le Gouvernement de la République du Bénin en Matière de Lutte Contre la Traite des Enfants. September 25, 2018. Source on file.
- 43 Government of the Gabonese Republic. Politique Nationale de la Jeunesse. Libreville, 2012.
http://www.youthpolicy.org/national/Gabon_2011_National_Youth_Policy.pdf.
- 44 UN and Government of the Gabonese Republic. Plan Cadre des Nations Unies pour l'Aide au Développement du Gabon (2018 – 2022). July 2017.
https://www.unicef.org/about/execboard/files/PNUAD-Gabon-21.0_2017.pdf.

In 2018, The Gambia made a moderate advancement in efforts to eliminate the worst forms of child labor. During the year, the government published detailed information related to the criminal enforcement of child labor and allocated \$36,000 in funding to the National Agency



Against Trafficking in Persons for the 2018 fiscal year. It also provided trainings to hotel staff in support of the Code of Conduct of The Gambia Tourism Authority for the Protection of Children. However, children in The Gambia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking and forced begging. Gaps in the law remain, including that children may commence an apprenticeship in the informal sector at the age of 12, an age below the compulsory education age of 16. Although the government has adopted various policies addressing human trafficking, research also found no evidence of a policy on other worst forms of child labor. In addition, the scope of social programs is insufficient to fully address the extent of the problem, as programs do not reach all children working in agriculture and domestic work, or those vulnerable to human trafficking, commercial sexual exploitation, forced begging, and street work.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in The Gambia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced begging. (1-5) Table 1 provides key indicators on children's work and education in The Gambia.

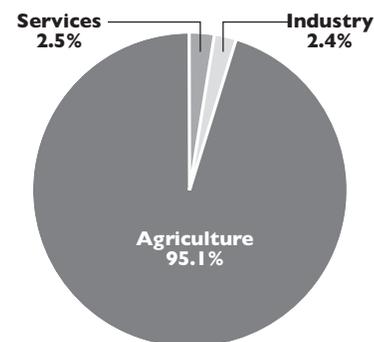
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	20.1 (105,013)
Attending School (%)	5 to 14	63.6
Combining Work and School (%)	7 to 14	10.3
Primary Completion Rate (%)		70.2

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Integrated Household Survey on Consumption, Expenditure and Poverty Level Assessment, 2015–2016. (7)

Figure 1. Working Children by Sector, Ages 5-14



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	Farming, including protecting crops against animals (1,8)
Industry	Working in carpentry, masonry, sewing, plumbing, and in metal welding workshops† (1,3,9) Mining† and quarrying† (3)
Services	Domestic work (1-3) Street work, including begging and vending (1-3,10,11) Scavenging for scrap metal and jewelry at dump sites (1,12) Working as taxi and bus attendants (1) Working as auto mechanics† (1,3,9,13)

The Gambia

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-5,11,14)
	Forced begging by Koranic teachers (1-4,8)
	Forced labor in domestic work and street vending, each sometimes as a result of human trafficking (2,5)

† 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.

In The Gambia, children are trafficked internally and subjected to commercial sexual exploitation, forced labor, and domestic work. Girls and boys from West African countries, including Benin, Ghana, Guinea, Guinea-Bissau, Liberia, Nigeria, Senegal, and Sierra Leone are trafficked for commercial sexual exploitation. (3,4,15) Tourists from Britain, Germany, Scandinavia, the Netherlands, and Canada also subject children to commercial sexual exploitation in brothels and motels in tourist areas. (4,16) In The Gambia, it is a common practice to send boys to receive education from Koranic teachers, or *marabouts*, who sometimes force Koranic students, or *almudus*, to beg in the streets for money and food and to conduct street vending. (15,17,18)

Article 30 of the Constitution mandates free compulsory education. However, families are sometimes required to buy books and uniforms, contribute to examination fees, and provide direct financial support to the school through a school fund, which families often cannot afford. Absence from school due to unpaid school fees increases children’s vulnerability to child labor. (19,20) In addition, inadequate teaching facilities, low numbers of teachers in rural areas, and limited access to clean water in schools create barriers for children to access education. (3,18)

The government has not conducted research to determine labor activities carried out by children, including in agriculture, domestic work, and forced begging, to inform policies and social programs. (18)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Gambia has ratified most 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 The Gambia’s legal framework to adequately protect children from the worst forms of child labor, including that children may commence an apprenticeship in the informal sector at the age of 12, an age below the compulsory education age of 16.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 43 of the Children’s Act (21)
Minimum Age for Hazardous Work	Yes	18	Article 44 of the Children’s Act; Article 46 of the Labor Act (21,22)

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

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 44–45 of the Children’s Act (21)
Prohibition of Forced Labor	Yes		Article 41 of the Children’s Act (21)
Prohibition of Child Trafficking	Yes		Articles 30 and 39 of the Children’s Act; Articles 28 and 56 of the Trafficking in Persons Act; Article 13 of the Tourism Offences Act (21,23,24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 26–27, 29–32, and 34 of the Children’s Act; Articles 7–9 of the Tourism Offences Act (21,24)
Prohibition of Using Children in Illicit Activities	Yes		Articles 31 and 36–37 of the Children’s Act (21)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 59 of the Children’s Act (21)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 31(c) of the Children’s Act (21)
Compulsory Education Age	Yes	16‡	Article 18 of the Children’s Act (21)
Free Public Education	Yes		Article 30 of the Constitution; Article 18 of the Children’s Act (20,21)

* No conscription (25)

‡ Age calculated based on available information (20,21,26,27)

In The Gambia, children may commence an apprenticeship in the informal sector at the age of 12, which makes them vulnerable to engage in child labor and not complete basic education. (21)

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 Trade, Industry, Regional Integration and Employment’s Department of Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Trade, Industry, and Regional Integration and Employment	Conducts labor inspections and enforces labor laws pertaining to hazardous child labor through its Department of Labor. (3,19)
Department of Social Welfare (DSW)	Combats forced child labor; coordinates the handling of human trafficking victims, and works closely with social welfare officers in police units. (28) Operates a 24-hour hotline to address human trafficking, and in collaboration with The Gambia Tourism Board, maintains a database of individuals suspected of pedophilia or child trafficking. (5) Maintains an electronic database that contains information on cases requiring child protection, including those involving labor and human trafficking violations. (5,25) Housed under the Ministry of Health and Social Welfare. (3)
Child Protection Alliance (CPA)	Promotes children’s rights and child protection services. Raises awareness about child exploitation. (29-31) Members include government departments, civil society organizations, UN agencies, NGOs, child and youth organizations, and bilateral institutions. (30) Trains journalists about child sex tourism and government officials on the UN Convention on the Rights of the Child. (32,33) Maintains 15 child protection centers across the country to monitor, identify, and report potential cases of child abuse and trafficking in persons. (18)
Children’s Court	Adjudicates cases involving children and determines guardianship of child abuse victims, including child laborers, referred to the court by the DSW. (34) In 2018, there were three courts for seven regions in the country. (3,18)
National Agency Against Trafficking in Persons (NAATIP)	Investigates suspected cases of human trafficking. Members include investigators, police, members of the National Intelligence Agency, and five prosecutors. (18,35) Gathers evidence for the NAATIP director, who can recommend that the NAATIP prosecutor file charges for human trafficking violations. (18,35)

The Gambia

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Tourism Security Unit	Prevents unaccompanied children from entering tourist areas and patrols tourist areas for child labor and criminal violations, such as commercial sexual exploitation and human trafficking. Has a dedicated child protection division. (17,19,28)
Community Child Protection Committees	Raises awareness and reports cases of labor issues, including child labor, to the authorities through 15 operating committees across the country. (18,25)
Neighborhood Watch Groups	Monitors neighborhoods for child exploitation with support from the DSW. Maintains 11 existing groups established by the DSW in urban areas near tourist resorts. (16,18,28)
Village Development Committees	Serves as volunteer arbiters and mediators for community disputes involving children and other matters. (3)
Gambia Police Force Child Welfare Unit	Oversees all situations involving children's welfare. (31) Collaborates with the CPA, the SDW, NGOs and other agencies as the designated governmental coordinating body for all child welfare activities in The Gambia. (3,36)
The Gambia Tourism Board	Combats commercial sexual exploitation of children in tourist areas. (17) Educates the public about child sex tourism and the consequences for violating the Code of Conduct for the Protection of Children and the Tourism Act. In collaboration with the DSW, maintains a database of individuals suspected of pedophilia or child trafficking. (18,37)

In 2018, research was unable to determine whether members of the 1,500 Village Development Committees were trained on child protection and the worst forms of child labor. (3,18) Reports indicate that the Department of Social Welfare-organized Neighborhood Watch Groups remain largely inadequate, as they are not empowered to investigate or report cases, are untrained, and only 2 of the 11 groups are occasionally active. (16)

Labor Law Enforcement

In 2018, labor law enforcement agencies in The Gambia took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Trade, Industry, Regional Integration, and Employment that may hinder adequate labor law enforcement, including investigation planning.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (3)	Unknown (18)
Number of Labor Inspectors	7 (3)	7 (18)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (18)
Initial Training for New Labor Inspectors	Yes (3)	Yes (18)
Training on New Laws Related to Child Labor	Unknown (3)	N/A (18)
Refresher Courses Provided	Unknown (3)	Yes (18)
Number of Labor Inspections Conducted	Unknown (3)	Unknown (18)
Number Conducted at Worksite	Unknown (3)	Unknown (18)
Number of Child Labor Violations Found	Unknown (3)	1 (18)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (3)	0 (18)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (3)	N/A (18)
Routine Inspections Conducted	Yes (3)	Yes (18)
Routine Inspections Targeted	No (3)	Yes (18)
Unannounced Inspections Permitted	Yes (3)	Yes (18)
Unannounced Inspections Conducted	Yes (3)	Yes (18)
Complaint Mechanism Exists	Yes (3)	Yes (18)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (18)

The number of labor inspectors is likely insufficient for the size of The Gambia's workforce, which includes more than 700,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less-developed economies, The Gambia would employ about 19 labor inspectors. (38,39) Per the law, inspectors are not authorized to inspect private homes or farms in which children may be working in violation of the minimum age for work. (3,18) The government did not provide information for inclusion in

this report on its labor inspectorate funding, and the number of labor inspections conducted, including those conducted at worksite.

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in The Gambia 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 enforcement of penalties.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (3)	Yes (18)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (3)	N/A (18)
Refresher Courses Provided	Yes (3)	Yes (18)
Number of Investigations	Unknown (3)	1 (18)
Number of Violations Found	Unknown (3)	3 (18)
Number of Prosecutions Initiated	Unknown (3)	1 (18)
Number of Convictions	0 (40)	0 (18)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	N/A(36)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (18)

Training on the topic of human trafficking was held for security forces, in cooperation with ECOWAS, as part of a one-day event in advance of the opening of the Senegambia Bridge along the Trans-Gambia Highway near the town of Farafenni. (4) Although Articles 39 and 40 of the Children’s Act prohibit human trafficking and slave dealing of children and carry a penalty of life imprisonment, a source indicates that penalties are not fully applied, possibly hindering enforcement and emboldening violators. (25,36) The government began prosecution of two Nigerian nationals for commercial sexual exploitation of four Nigerians—one minor and three adults—trafficked to The Gambia. (18,25)

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 the lack of adequate funding and the inactivity of some coordinating bodies during the reporting period.

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

Coordinating Body	Role & Description
National Coordination Committee on Child Labor	Coordinates child labor enforcement processes, including prosecutions of the worst forms of child labor. Led by the DSW, comprises representatives from UNICEF, Department of Labor, NAATIP, Action Aid, Ministry of Basic and Secondary Education, Gambia Teachers Union, Young People in the Media, and the Inspector General of Police. (3) Research was unable to determine whether the coordinating body was active in 2018.
National Agency Against Trafficking in Persons (NAATIP)	Coordinates, administers, and monitors the implementation of the Trafficking in Persons Act. Shares information among law enforcement agencies. Created under the Ministry of Justice. Convenes and leads monthly meetings with the National Trafficking in Persons Task Force, focusing on multiple sectors in which human trafficking occurs across the country. (17,28) The Task Force includes NAATIP, Ministry of Justice, Department of Immigration, Department of Social Welfare, Ministry of Foreign Affairs, Women’s Bureau, Gambia Radio and Television Services, Center for Street Children, and Gambia Police Force. (40) In 2018, government funding for the NAATIP was \$36,000, with assurances that funding would double to \$72,000 in 2019. (36)

The government continued to provide limited funding to the NAATIP, with no direct funding for advocacy and training of officials; thus hindering the NAATIP’s ability to conduct investigations on trafficking in persons. (3,4,16,18)

The Gambia

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 the lack of a national child labor policy.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Child Protection Strategy (2016–2020)	Outlines strategies to improve child protection, including addressing the worst forms of child labor, by increasing awareness and strengthening coordination among government agencies. (41) Research was unable to determine actions taken to implement this policy in 2018.
National Trafficking in Persons Action Plan (2016–2020)	Organizes governmental efforts to combat human trafficking. Drafted by the Ministry of Justice and the NAATIP, which is responsible for updating and implementing the action plan. In 2018, the action plan was extended until 2020, yet implementation was limited due to a lack of funding. (4,18,25,42)
The Gambia and Senegal Trafficking Memorandum of Understanding	Coordinates the two countries' efforts to address human trafficking through meetings, information sharing, improved laws, and prevention, protection, and assistance activities. (18) Research was unable to determine actions taken to implement this policy in 2018. (25)
Code of Conduct of The Gambia Tourism Authority for the Protection of Children	Raises awareness of commercial sexual exploitation of children in the tourism industry and among tourists. (17,43) Requires new hotel staff to be trained on the Code at the beginning of the annual peak tourism season. (17) In 2018, the government reported new hotel staff received this training by the Gambia Tourism Authority as part of the policy's implementation. (18,36)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (18)

Although the government has adopted various policies addressing human trafficking, research found no evidence of a policy on other worst forms of child labor. (18)

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
Combating Child Sex Tourism Project	CPA project, funded by ECPAT Netherlands, that raises awareness about commercial sexual exploitation of children, the Tourism Offences Act, and the Code of Conduct among Tourism Security Unit personnel, hoteliers, travel agencies, and other tourism stakeholders. (1) Research was unable to determine actions taken in 2018.
Street Children Center†	Drop-in center in Talinding Kunjang run by the DSW with support from international organizations, foreign NGOs, and local businesses. Provides medical care, food, and counseling to street children, including human trafficking victims and <i>almudus</i> . (17,28) In 2018, research indicated that this center continued to operate with the DSW providing a monetary allocation to the shelter for meals. (4)
Conditional Cash Transfers to the Majaalis‡	Ministry of Education program in partnership with the Institute for Social Reformation, an Islamic NGO based in The Gambia, that gives <i>marabouts</i> food rations and approximately \$2 monthly for each student if the <i>marabouts</i> do not force students to beg. (16,18,28) Provides teachers for English, mathematics, and science subjects to Koranic schools. (1,17) As of 2018, the program reached 17 schools throughout all regions encompassing 1,500 children. (16)

† Program is funded by the Government of The Gambia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms. (44)

Although The Gambia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. Programs do not reach all children working in agriculture and domestic work or those vulnerable to human trafficking, commercial sexual exploitation, forced begging, and street work. (18)

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 The Gambia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Harmonize provisions of the Children's Act and the Labor Code that regulate apprenticeships and ensure that children are at least 14 years of age before beginning workplace apprenticeships.	2017 – 2018
Enforcement	Ensure that village development committees receive training on the worst forms of child labor.	2017 – 2018
	Increase the number of labor inspectors responsible for enforcing labor laws, including laws related to child labor, to meet the ILO's technical advice.	2016 – 2018
	Ensure the labor inspectorate has authority to conduct inspections on farms and in homes.	2017 – 2018
	Ensure penalties for child trafficking are stringent enough to deter violations.	2016 – 2018
	Publish information on the labor inspectorate's funding levels and total inspections, including those conducted at worksites.	2012 – 2018
	Ensure neighborhood watch groups are properly trained and empowered to investigate and report cases of child labor.	2018
Coordination	Ensure the NAATIP has sufficient funding to conduct investigations on trafficking in persons.	2012 – 2018
	Ensure that the National Coordination Committee on Child Labor meets regularly and carries out activities to support its mandate.	2018
Government Policies	Undertake activities in support of the National Child Protection Strategy, National Trafficking in Persons Action Plan, and The Gambia and Senegal Trafficking Memorandum of Understanding.	2017 – 2018
	Adopt a policy that addresses all relevant worst forms of child labor, including commercial sexual exploitation.	2015 – 2018
Social Programs	Undertake activities in support of the Combating Child Sex Tourism Project.	2017 – 2018
	Expand existing programs to address the scope of the child labor problem.	2010 – 2018
	Enhance opportunities for children to access education by providing adequate teaching facilities and clean water, and assigning teachers to rural areas.	2017 – 2018
	Ensure that children can complete primary school by subsidizing or defraying the cost of books, uniforms, and other fees.	2010 – 2018
	Conduct research to determine the activities carried out by children, including in agriculture, domestic work, and forced begging, to inform policies and social programs.	2017 – 2018

REFERENCES

- U.S. Embassy-Banjul. Reporting. January 25, 2016.
- Freedom House. Freedom in the World 2016: Gambia, The. 2016. <https://freedomhouse.org/report/freedom-world/2016/gambia>.
- U.S. Embassy-Banjul. Reporting. January 29, 2018.
- U.S. Embassy-Banjul. Reporting. February 15, 2019.
- U.S. Department of State. Trafficking in Persons Report- 2018: Gambia. Washington, DC. 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/the-gambia/>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 12, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Integrated household survey on consumption, expenditure and poverty level assessment, 2015–2016. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics and Definitions" in the Reference Materials section of this report.
- U.S. Embassy-Banjul official. Email communication to USDOL official. April 10, 2015.
- Muammed Bah, Yahwa. Child Labor in the Gambia. Global Journal of Human-Social Science (GJHSS): Sociology & Culture 16, no.3 (2016). https://globaljournals.org/GJHSS_Volume16/5-Child-Labour-in-the-Gambia.pdf.
- Sanneh, Amie. Gambia: Child Beggars, Hawkers Proliferate the Urban Streets. Foroyaa Newspaper. May 14, 2016. <http://allafrica.com/stories/201605160375.html>.
- UNICEF. Gambia: Child Protection. Accessed October 27, 2016. http://www.unicef.org/gambia/activities_8342.html.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Gambia (ratification: 2001) Published: 2017. Accessed November 15, 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3294354.
- ILO Committee of Experts Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Gambia (ratification: 2001) Published: 2014. Accessed April 22, 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3147136.
- Premium Times. Child sex tourism booming in Gambia - UN. June 21, 2016. <http://www.premiumtimesng.com/foreign/205661-child-sex-tourism-booming-gambia-un.html>.
- UNHRC. Concluding observations on the Gambia in the absence of its second periodic report August 30, 2018. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkGI/d/PPRiCAqhKb7yhsswua+gmPOIES16nsX0bj9rx+Yg3Ji5G8SnmRBidLGEN2nhIrPYe+XmNMgdU5S38aLH7Hdp1fHPTThR54ww2NNzAX0cLXz0jndXrxSjyrPVB>.
- U.S. Embassy-Banjul. Reporting. December 10, 2018.
- U.S. Embassy-Banjul. Reporting. January 27, 2014.
- U.S. Embassy-Banjul. Reporting. January 15, 2019.

The Gambia

MODERATE ADVANCEMENT

- 19 U.S. Department of State. Country Reports on Human Rights Practices-2018: Gambia. Washington, DC. 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/the-gambia/>.
- 20 Government of the Republic of The Gambia. Constitution. Enacted: January 1997. <http://www.accessgambia.com/information/constitution.html>.
- 21 Government of the Republic of The Gambia. Children's Act. Enacted: July 21, 2005. Source on file.
- 22 Government of the Republic of The Gambia. Labour Act, 5/2007. Enacted: October 17, 2007. Source on file.
- 23 Government of the Republic of The Gambia. Trafficking in Persons Act. Enacted: October 5, 2007. Source on file.
- 24 Government of the Republic of The Gambia. Tourism Offences Act 2003. Enacted: April 9, 2003. Source on file.
- 25 U.S. Embassy-Banjul official. Email communication to USDOL official. February 7, 2019.
- 26 UNICEF. Gambia- Primary Education. https://www.unicef.org/gambia/children_1270.html.
- 27 ILO Committee of Experts. Direct Request (CEACR) - adopted 2016, published 106th ILC session (2017). http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3294180,103226,Gambia,2016.
- 28 U.S. Embassy-Banjul. Reporting. February 14, 2014.
- 29 Child Rights International Network. Child Protection Alliance. 2014. Source on file.
- 30 ECPAT International CSEC Database. The Gambia. Accessed March 14, 2014. Source on file.
- 31 U.S. Embassy-Banjul official. Email communication to USDOL official. May 20, 2014.
- 32 Gassama, Awa. Gambia: CPA Trains Journalists on Child Sex Tourism. The Daily Observer, January 25, 2016. <http://allafrica.com/stories/201601251655.html>.
- 33 The Point. Gambia: Girl-Child an Asset for National Development - GFPA Executive Director. September 15, 2016. <http://allafrica.com/stories/201609151251.html>.
- 34 Government of the Republic of The Gambia. Children's Court Rules, 2010. 2010. Source on file.
- 35 U.S. Embassy-Banjul official. Email communication to USDOL official. April 25, 2016.
- 36 U.S. Embassy-Banjul. Email communication to USDOL official. May 31, 2019.
- 37 The Daily Observer. Gambia: A Call for Eradication of Sex Tourism. February 10, 2016. <http://allafrica.com/stories/201602111253.html>.
- 38 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2095rank.html>.
- 39 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York: 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 40 U.S. Embassy-Banjul. Reporting. May 16, 2018.
- 41 Government of the Republic of The Gambia. Child Protection Strategy 2016-2020. November 2016. Source on file.
- 42 Government of the Republic of The Gambia. National Action Plan Against Trafficking in Persons 2016-2020. n.d. Source on file.
- 43 Gambia Tourism Authority. Code of Conduct of the Gambia Tourism Authority for the Protection of Children. 2004. Source on file.
- 44 Tomita, Ryoko, and Tanya Savrimootoo. Improving Education Performance in Math and Science in The Gambia: An overview of the Progressive Science Initiative and Progressive Math Initiative (PSI-PMI) and its implementation in The Gambia. World Bank, June 2016. <http://documents.worldbank.org/curated/en/981551477028270066/pdf/109410-REVISED-PUBLIC-WB-REPORT-PSI-PMI-V9-WEB.pdf>.

In 2018, Georgia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government passed the 2018 Law on Occupational Safety to allow unannounced inspections in harmful, hazardous, and heavy industries, and carried out 90 unannounced inspections in these industries during the reporting period. The 2019 Law on Occupational Safety grants labor inspectors the ability to enter any business for occupational health and safety reasons without prior notification starting in late 2019. The government also approved a National Action Plan on Human Trafficking for 2019–2020 to protect and integrate street children through issuing identity documents and inclusive education. However, children in Georgia engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. The labor inspectorate is allowed to conduct unannounced inspections only in harmful, hazardous, and heavy industries, and requires a court order to inspect all other businesses in the country. In addition, the compulsory education age leaves 15-year-old children vulnerable to the worst forms of child labor, as they are not required to be in school but are not legally permitted to work full time.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Georgia engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. (1-4) Children also perform dangerous tasks in agriculture. (1,2,5,6) Table I provides key indicators on children’s work and education in Georgia.

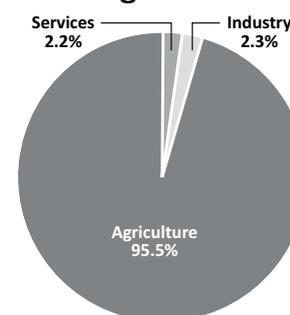
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	2.9 (13,547)
Attending School (%)	5 to 14	96.9
Combining Work and School (%)	7 to 14	3.7
Primary Completion Rate (%)		117.1

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization’s analysis of statistics from National Child Labor Survey, 2015. (8)

Figure I. Working Children by Sector, Ages 5-14



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	Farming, activities unknown (2,9)
Services	Street work, including begging and collecting scrap metal (2,4,9,10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4) Forced begging, sometimes as a result of human trafficking (1-4)

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

Georgia is a source and transit country for child trafficking, especially of girls, to Turkey, China, the United Arab Emirates, and Cyprus. (3,4) Sources report that Roma and Azerbaijani Kurd ethnic minorities and refugee and internally displaced children from Georgia, Armenia, and Moldova are subjected to forced begging in Georgia. (2-4,11) Estimates suggest that 1,000 to 2,000 children earn a living by begging, primarily caused by poverty or

Georgia

MODERATE ADVANCEMENT

domestic violence. (2,4,11) Many of the child beggars are from Roma communities. (4,11) Children from Roma communities lack identity documents and, therefore, have challenges accessing education. (2) In addition, socially vulnerable children and those who live in rural areas have difficulty accessing education.(2,12) Children who do not attend school are vulnerable to the worst forms of child labor.

Lack of information limits an assessment of the types of work that children perform and the sectors in which they work in Abkhazia and South Ossetia. (2,3)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Georgia 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 Georgia's legal framework to adequately protect children from the worst forms of child labor, including the identification of hazardous occupations or activities prohibited for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 4 of the Labor Code of Georgia (13)
Minimum Age for Hazardous Work	Yes	18	Article 4 of the Labor Code of Georgia; Articles 2 and 5 of the Law on Occupational Safety (13,14)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 4(4) of the Labor Code of Georgia; Articles 2 and 5 of the Law on Occupational Safety (13,14)
Prohibition of Forced Labor	Yes		Article 30 of the Constitution of Georgia; Articles 143-i, 143-ii, and 143-iii of the Criminal Code of Georgia; Law of Georgia on Combating Human Trafficking (15-17)
Prohibition of Child Trafficking	Yes		Articles 143, 143-1, 143-2, 143-3, and 172 of the Criminal Code of Georgia; Law of Georgia on Combating Human Trafficking (16,17)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 171, 253, 255, 255-1, and 255-2 of the Criminal Code of Georgia (17)
Prohibition of Using Children in Illicit Activities	Yes		Article 171 of the Criminal Code of Georgia (17)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 10 of the Law of Georgia on Military Duty and Military Service (18)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 9 and 21 of the Law of Georgia on Military Duty and Military Service (18)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 410 of the Criminal Code of Georgia (17)
Compulsory Education Age	Yes	15‡	Articles 2 and 9 of the Law of Georgia on General Education (19)
Free Public Education	Yes		Article 22 of the Law of Georgia on General Education (19)

‡ Age calculated based on available information (19)

In 2018, the government passed the Law on Occupational Safety that forbids minors from working in harmful, hazardous, and heavy (3H) industries. According to the law, the specific 3H industries will be determined by the government in consultation with partners; trade unions; employers' associations; and the Ministry of Labor, Health, and Social Affairs (MoLHSA). (2,14,20)

Also, Article 143-I of the Criminal Code was amended during the reporting period, which introduced pimping as a crime, developed a temporary working group under the Interagency Anti-Trafficking Coordination Council, and simplified evidence collection for human trafficking. (4,24-26)

The labor law governing child labor is not in compliance with international standards because it does not apply to informal work. (13,27) The compulsory education age leaves children age 15 vulnerable to the worst forms of child labor because they are not required to be in school but are not legally permitted to work full time. In addition, although Article 4 of the Labor Code establishes age 14 as the minimum age for participation in work that is not harmful to the moral, physical, and mental development of the child, the law does not stipulate specific activities in which children under the legal working age are allowed to engage. (13,27)

The law does not sufficiently criminalize non-state armed groups from recruiting children under age 18 because it applies only to mercenaries. (17)

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 with the authority of the Ministry of Labor, Health, and Social Affairs 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, Health, and Social Affairs (MoLHSA)	Oversees child welfare issues and pursues enforcement of labor laws. (2) Receives complaints through the Child Protection and Social Programs sub-department, and refers complaints of child labor violations to law enforcement agencies for investigation. (25)
Department of Labor Inspection within MoLHSA	Enforces occupational safety and health laws, as well as prohibitions of forced labor and human trafficking. (9)
Department of Labor and Employment Policy within MoLHSA	Addresses labor and employment issues, and revises existing laws and policies to be in accordance with international standards. (25)
Social Services Agency within MoLHSA	Administers social benefits such as targeted social assistance, healthcare, and vouchers for day care. (2) Employs social services agents who identify qualifying families for services, and social workers who oversee child protection and family welfare cases. (9)
Ministry of Internal Affairs (MoIA)	Enforces criminal laws related to child labor and child trafficking, and investigates NGO and civilian reports of potential child labor violations. (6) Operates a hotline that is available in Georgian, Russian, and English. (4)
Central Criminal Police Department within MoIA	Leads criminal investigations of trafficking in persons, including the trafficking of children, through the Division for Combating Human Trafficking and Illegal Migration. (4) Identifies human traffickers and collates data on traffickers across various agencies through the Information-Analytical Department. (28) Investigates possible human trafficking schemes by deploying teams of two law enforcement officials in Mobile Units to investigate companies offering suspicious work opportunities abroad. (29) In 2018, Mobile Units inspected 71 locations. (4)
District Police Units within MoIA	Collects information on minors in each jurisdiction and visit minors' families to inform them of their rights. (25) Conduct classes for school teachers on children's rights.
Human Rights Department within the MoIA*	Ensures prompt responses to human trafficking crimes and compose suggested recommendations for investigations. (4)
Prosecutor General's Office within the Ministry of Justice	Investigates large-scale cases of child trafficking. (6) Headquartered in the Prosecution Service of Georgia under the Prime Minister's Office. (25)
Joint Child Referral Mechanism	Ensures interagency coordination of the enforcement of child labor laws and enumerates the procedures for referring children subject to any form of violence, including labor exploitation, to child protective services. (2,4) After any ministry identifies a case of child exploitation, MoIA registers the case. MoLHSA then assesses the child's condition, provides shelter and rehabilitation services to the child as needed, and monitors the child's case. (6)

* Agency responsible for child labor enforcement was created during the reporting period.

MODERATE ADVANCEMENT

Following the abolition of the labor inspectorate in 2006, Prime Minister’s Decree No. 81, signed in March 2015, established a Department of Labor Inspection in MoLHSA. (30-32) However, existing legislation hampers enforcement of labor laws by the Department of Labor Inspection. In particular, although the new 2018 Law on Occupational Safety allows unannounced inspections, labor inspectors can only conduct them in 3H industries. (2,14) Furthermore, the Law on Oversight of Entrepreneurial Activity requires government agencies, including the Department of Labor Inspection, to acquire a court order to inspect any private business. (32,33) However, a 2019 Law on Occupational Safety grants labor inspectors the ability to enter any business for occupational health and safety reasons without prior notification and removes the requirement that the Department of Labor Inspection acquire a court order to inspect private businesses starting in late 2019. (4) In addition, the government passed Decrees 382 and N01-25N to determine rules for labor safety inspections. (2,21-23)

In 2018, the Prosecution Service of Georgia separated from the Ministry of Justice and now has the primary responsibility for setting criminal justice policy related to criminal prosecutions. (2)

MoLHSA’s jurisdiction was expanded during 2018 to allow the Department of Labor Inspection to detect labor exploitation and inform law enforcement officials of potential victims of human trafficking, including children. (2,24)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Georgia took actions to combat child labor (Table 6). However, gaps exist within the authority of MoLHSA that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$229,000 (34)	\$340,800 (2)
Number of Labor Inspectors	25 (34)	40 (2)
Inspectorate Authorized to Assess Penalties	No (34)	Yes (2)
Initial Training for New Labor Inspectors	Yes (34)	Yes (2)
Training on New Laws Related to Child Labor	Yes (34)	Yes (2)
Refresher Courses Provided	Unknown	Yes (2)
Number of Labor Inspections Conducted	392 (34)	511 (2)
Number Conducted at Worksite	392 (34)	511 (2)
Number of Child Labor Violations Found	0 (34)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (34)	0 (2)
Number of Child Labor Penalties Imposed that Were Collected	0 (34)	0 (2)
Routine Inspections Conducted	Yes (34)	Yes (2)
Routine Inspections Targeted	Yes (34)	Yes (2)
Unannounced Inspections Permitted	No (34)	Yes (2)
Unannounced Inspections Conducted	No (34)	Yes (2)
Complaint Mechanism Exists	Yes (34)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (34)	Yes (2)

In 2015, the Department of Labor Inspection in MoLHSA created a pilot initiative to monitor compliance with occupational safety and health laws and laws prohibiting forced labor and human trafficking. The initiative continued to function during the reporting period. (9,30,35) The pilot program is an initial step toward establishing a labor inspectorate and is intended to build the capacity and credibility of the inspectorate when the organization is fully established. (35,36)

Currently, except in cases of suspected human trafficking or forced labor violations, the Department of Labor Inspection is only able to conduct monitoring of 3H industries and the 150 companies that volunteered to participate in the pilot program, and it must give companies 5 days’ notice prior to a monitoring visit until

the new law on Occupational Safety takes effect in September 2019. (25,30,37,38) Labor monitors conducted 511 monitoring site visits, 90 of which were unannounced. Visits were only conducted in 3H industries, and no violations of child labor were found. (2) In addition, labor monitors are able to impose sanctions and assess penalties for violations found only in 3H industries. (2)

A source reported that because the State Monitoring Program does not have sanctioning authority and its findings are confidential, the monitoring has little impact on workers. (25,38,39) The number of labor monitors is likely insufficient for the size of Georgia's workforce, which includes more than 1.9 million workers. (53) According to the ILO's technical advice of a ratio approaching 1 monitor for every 20,000 workers in transition economies, Georgia would employ about 100 labor monitors. (54, 55)

During the reporting period, labor monitors received 3-day trainings from the ILO on new labor laws and best practices on labor law enforcement. (2)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Georgia 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 investigation of forced begging.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (40)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (40)	Yes (2)
Refresher Courses Provided	Yes (40)	Yes (2)
Number of Investigations	1 (40)	7 (2)
Number of Violations Found	2 (40)	2 (2)
Number of Prosecutions Initiated	2 (40)	2 (2)
Number of Convictions	0 (40)	2 (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	0 (20)	0 (20)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (40)	Yes (2)

Law enforcement agencies received training on the worst forms of child labor, including forced labor, child trafficking, and the use of children in illicit activities. (4) Ministry officials, including prosecutors and investigators, participated in trainings and seminars organized by the Police Academy of the Ministry of Internal Affairs (MoIA). (2,4) In 2018, law enforcement officials were trained on human trafficking at border checkpoints; 16 trainings were organized for law enforcement officials and prosecutors on legislation review, interagency coordination, and illegal transportation of migrants. (4) Criminal investigators also were unable to investigate and prosecute any potential human trafficking cases, including of children, in Abkhazia and South Ossetia because they remain occupied by Russian forces and are outside of central government control. (4,20)

During the reporting period, the Social Services Agency referred 11 cases of minors involved in forced labor to the MoIA and provided services to 328 children, 270 of which were directed to crisis centers. (2) In addition, authorities investigated and convicted two individuals as a result of their participation in the worst forms of child labor, each receiving 9-year prison sentences for forcing children to beg. (2,25) However, a source reported that forced begging needs to be addressed broadly, rather than as isolated incidents. (4) Gaps remain in the identification and removal of street children as well. (4)

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 coordination among agencies.

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
Interagency Commission for the Implementation of the UN CRC	Monitors implementation of the Child Rights chapter of the National Human Rights Action Plan, which is based on provisions of the UN CRC. Held meetings in 2018 and contributed to drafting legislation. (25)
Interagency Anti-Trafficking Coordination Council for the Implementation of Measures Against Human Trafficking	Coordinates government efforts against human trafficking, including efforts to protect and rehabilitate victims. (6) Refers child victims to shelters to receive social services. Chaired by the Minister of Justice and comprises representatives from state agencies and non-state entities. (4,6) In 2018, approved a National Action Plan on Human Trafficking for 2019–2020. (2,25,41)
Prosecution Service of Georgia Working Group	Established in 2017 to address labor trafficking issues under the framework of the Prosecution Service Strategy for 2017–2021. (2,42) Met in 2018 to discuss investigative techniques, victim services, successful prosecutions, and combating labor trafficking. (2) The corresponding 2019 Action Plan for the Prosecution Service includes increasing awareness of victim services and developing a list of high-risk businesses for inspections. (2)

Coordination on cases between the labor inspectorate and the Criminal Police Department has traditionally been sporadic. (4)

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 the scope of existing policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Human Rights Strategy (2014–2020)†	Identifies human rights priorities, including the protection of children’s rights. Includes objectives to strengthen the provision of services to vulnerable children, such as those living and working on the streets, and requires implementation of ILO C. 138 and C. 182. (43,44) The National Human Rights Action Plan for 2018–2020 has a chapter on children’s rights and lays out actions for government commitment toward developing a broad-based approach to fighting violence against children. (2,45)
National Action Plan on Trafficking in Persons (2017–2018)†	Supports the development of policy and the implementation of activities to address human trafficking. Includes plans to conduct research on commercial sexual exploitation and forced labor with a particular focus on the exploitation of minors. (34) In 2018, approved a National Action Plan for 2019–2020. The plan commits the government to protect and effectively integrate street children, such as issuing identify documents and increasing school enrollment. (2,41,46)
EU Association Agreement and Association Agenda	Outlines a framework for cooperation between Georgia and the EU. Requires Georgia to institute a number of initiatives to protect children’s rights, including addressing child poverty, providing adequate resources to the Public Defender to undertake work for children, and focusing on measures to protect children against all forms of violence. (6,47) The government continued its support for the program in 2018. (2)

† 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. (2,48)

In 2018, the government announced its intention to become a Pathfinder Country for the Global Partnership to End Violence Against Children. In doing so, the government has committed to end violence against children, including by combatting child trafficking and increasing school inclusion through the use of broad-based approaches. (2,49)

Although the government has established policies to address child begging and trafficking, and child labor in street work, research found no evidence of a policy to address child labor in agriculture.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that include the goal of eliminating 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
Improved Compliance with Labor Laws in the Democratic Republic of Georgia	\$2 million USDOL-funded grant implemented by ILO to work with the Government of Georgia to improve its ability to enforce labor laws, including child labor laws, and adhere to international labor standards. Key objectives include supporting the establishment of adequate labor law enforcement mechanisms in Georgia through labor inspection and promoting effective tripartite cooperation. (50) Additional information is available on the USDOL website.
Research on Street Children†	MoLHSA, MoIA, and UNICEF-administered program to conduct qualitative research on street children. (2,34) In July 2018, a final report was released and identified main gaps such as the need for increased cooperation between Georgia and Azerbaijan on law application, outreach to minority populations and families of street-connected children, legal reform on child protection, and police investigation of cases. (4,11)
Targeted Social Assistance Program and Child Benefit Program†	Social services agency-administered social assistance programs designed to eliminate poverty, especially child poverty. The Child Benefit Program is intended to halve extreme poverty among children, and covers about a quarter of the most vulnerable families with children. (51) Active in 2018. (2)
Social Rehabilitation and Childcare Program†	Government program with a 2018 budget of \$11.2 million that provides assistance to children at high risk of abandonment and children with disabilities; also places abandoned children in appropriate care. (2,6,9,33,34)
State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking†	MoLHSA program to protect, assist, and rehabilitate trafficking and domestic violence victims, including minors. (6) Implements the government's Rehabilitation and Reintegration Strategy, which includes operating shelters for trafficking victims in Batumi and Tbilisi. In 2018, received a budget of \$2.04 million. (2)
Education-Focused Programs for Vulnerable Children†	The Ministry of Education and Science funds multiple programs to promote the inclusion of vulnerable children in education. (2) Initiatives include a program designed to increase the participation in school by street children, victims of forced begging, and children who are seasonal agricultural workers; a program to increase the number of Georgian language teachers in communities with large ethnic minority populations; and a program to distribute free textbooks to public school students. (2,9) In 2018, funding for free textbooks, school buses, and inclusive education increased from the previous year. (2)
UNICEF Country Program (2016–2020)	Joint effort by UNICEF and the Government of Georgia to improve social inclusion of the most vulnerable children. (52) In 2018, worked on a draft code on the rights and freedoms of children, which was submitted to Parliament. (2)

† Program is funded by the Government of Georgia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,4)

During the reporting period, the government issued grants to NGOs to raise awareness about children living and working on the streets and the state services available to them. (2) Although Georgia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially with regard to street children. (2,4)

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 Georgia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the minimum age for work applies to all children, including those in informal work.	2017 – 2018
	Determine and codify the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2016 – 2018
	Increase the age up to which education is compulsory to age 16, the minimum age for work.	2009 – 2018
	Ensure that the law's light work provisions are sufficiently specific to prevent children from involvement in child labor.	2016 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the Department of Labor Inspection has funding to employ a sufficient number of inspectors; that inspectors are capable of performing quality targeted, complaint-based, and unannounced inspections in all sectors and businesses on all labor laws; and that inspectors have the ability to assess penalties.	2009 – 2018
	Ensure that legislation permits the Department of Labor Inspection to enter the premises of all businesses to conduct unannounced inspections, and empowers inspectors to impose sanctions for the violation of labor laws.	2015 – 2018
	Increase the number of labor inspectors to monitor and combat child labor.	2018
	Ensure that cases of forced begging are recognized as criminal acts and receive appropriate and thorough investigation by the police.	2014 – 2018
Coordination	Increase coordination between the Department of Labor Inspection and Criminal Police Department.	2018
Government Policies	Adopt a policy that addresses all relevant forms of child labor, including child labor in agriculture.	2017 – 2018
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs, especially on agriculture and in Abkhazia and South Ossetia.	2018
	Make additional efforts to register children from Roma communities and provide them with identity documents, and ensure that these groups can access education.	2018
	Expand existing programs to address the scope of the child labor problem, especially for street children.	2018

REFERENCES

- Rimple, Paul, and Justyna Mielnikiewicz. Georgia: Teenage Prostitution Part of a Bigger Problem. eurasianet.org, August 2, 2014. <http://www.eurasianet.org/node/69306>.
- U.S. Embassy- Tbilisi. Reporting. February 11, 2019.
- U.S. Department of State. Trafficking in Persons Report- 2018: Georgia. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/Georgia/>
- U.S. Embassy- Tbilisi. Reporting. March 1, 2019.
- U.S. Embassy- Tbilisi. Reporting. February 20, 2015.
- U.S. Embassy- Tbilisi. Reporting. January 15, 2015.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Labor Survey, 2015. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Tbilisi. Reporting. February 11, 2016.
- Lomidze, Eka. Street Children in Georgia. September 18, 2014. <http://www.georgianjournal.ge/society/28256-street-children-in-georgia.html>.
- UNICEF. Children Living and/or Working in the Streets of Georgia. Tbilisi: UNICEF. July 2018. <https://www.unicef.org/georgia/reports/children-living-and-or-working-streets-georgia>.
- UNICEF. Study on Quality of Early Childhood Education and Care in Georgia. Tbilisi: UNICEF. June 2018. http://unicef.ge/uploads/Pre-school_quality_study-eng-2018.pdf.
- Government of Georgia. Labor Code of Georgia. Enacted: 2010. <https://matsne.gov.ge/en/document/view/1155567>.
- Government of Georgia. Occupational Safety Law. March 4, 2019. <https://matsne.gov.ge/ka/document/view/4486188?publication=0>.
- Government of Georgia. The Constitution of Georgia. Enacted: 1995. http://www.parliament.ge/files/68_1944_951190_CONSTIT_27_12.06.pdf.
- Government of Georgia. Law of Georgia on Combating Human Trafficking. Enacted: June 16, 2006. <https://matsne.gov.ge/en/document/view/26152>.
- Government of Georgia. Criminal Code of Georgia. Enacted: 1999. <http://legislationline.org/documents/section/criminal-codes>.
- Government of Georgia. The Law of Georgia on Military Duty and Military Service. Enacted: 1997. <https://matsne.gov.ge/en/document/download/31780/64/en/pdf>.
- Government of Georgia. Law of Georgia on General Education. Enacted: April 8, 2005. <https://matsne.gov.ge/en/document/download/29248/56/en/pdf>.
- U.S. Embassy- Tbilisi. Reporting. July 12, 2019.
- Government of Georgia. On Determining Selective Control Rules and Conditions in Inspection of labor Safety Regulations on Increased Hazard, Harmful, and Dangerous Works. Tbilisi. July 27, 2018. <https://matsne.gov.ge/ka/document/view/4277596?publication=0>.
- Government of Georgia. The accredited program of the Labor Safety Specialist on the Approval of the Rules and Conditions of Implementation. Tbilisi. October 31, 2018. <https://matsne.gov.ge/ka/document/view/4348224?publication=0>.
- Government of Georgia. Annex I: The capacity of the accredited program of labor security specialist. October 31, 2018. <https://matsne.gov.ge/ka/document/view/4348224?publication=0>.
- Government of Georgia. Concerning the Amendment to the Law “On Combating Human Trafficking”. Tbilisi. July 5, 2018. <https://www.matsne.gov.ge/ka/document/view/4245406?publication=0>.
- U.S. Embassy- Tbilisi official. Email communication to USDOL official. March 22, 2019.
- Government of Georgia. Of Amendments to the Criminal Code. Tbilisi. May 17, 2018. <https://matsne.gov.ge/ka/document/view/4198966?publication=0#DOCUMENT:1;>

- 27 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Georgia (Ratification: 1996). Published: 2016.
http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:PI3100_COMMENT_ID:3249313.
- 28 Government of Georgia. Report submitted by the Georgian authorities on measures taken to comply with Committee of the Parties Recommendation CP(2012)5 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings. Strasbourg: Council of Europe, November 17, 2014.
<https://www.refworld.org/docid/5858104f4.html>.
- 29 Government of Georgia. Human Trafficking, Ministry of Internal Affairs. Cited: December 1, 2014.
<http://police.ge/en/projects/you-are-not-for-sale>.
- 30 American Center for International Labor Solidarity. Strengthening Workers Organizations in Georgia. Washington, DC, May 11, 2015: Technical Progress Report. Source on file.
- 31 ILO. Improved Compliance with Labor Laws in Georgia. Geneva, July 30, 2015: Technical Progress Report. Source on file.
- 32 Government of Georgia. Law on Control of Entrepreneurial Activity. Enacted: 2001.
<https://matsne.gov.ge/ka/document/view/28408>.
- 33 U.S. Embassy- Tbilisi. Reporting. January 27, 2017.
- 34 U.S. Embassy- Tbilisi. Reporting. March 2, 2018.
- 35 Deputy Minister of Labor, Health, and Social Affairs Nina Berdzuli. GSP Subcommittee. Public Hearing for U.S. Generalized System of Preferences (GSP) Review of Country Practices. January 15, 2016. Source on file.
- 36 ILO. Improved Compliance with Labor Laws in Georgia. Geneva, October 30, 2015: Technical Progress Report. Source on file.
- 37 National Center for Teacher Professional Development (TPDC). National Center for Teacher Professional Development (TPDC) holds a presentation on Program "Georgian Language for Future Success" to Ethnic minority students. Ministry of Education and Science of Georgia, June 4, 2015. Source on file.
- 38 American Center for International Labor Solidarity. Strengthening Workers Organizations in Georgia. Washington, DC, January 29, 2016: Technical Progress Report. Source on file.
- 39 Government of Georgia. Order N01-10/N of the Minister of Labour, Health and Social Affairs of Georgia on amendments to the Order N01-1N of 6 January 2015 of the Minister of Labour, Health and Social Affairs of Georgia. on adoption of the statute of the structural division of the Ministry of Labour Health and Social Affairs. Enacted: April 21, 2015. Source on file.
- 40 U.S. Embassy- Tbilisi official. Email communication to USDOL official. March 2, 2015.
- 41 Government of Georgia. 2019-2020 Fight Against Human Trafficking. December 24, 2018.
http://atipfund.gov.ge/res/docs/trefikingi_samoqmedo_gegma_2019-2020.pdf.
- 42 Government of Georgia. 2017-2021 Prosecution Service Strategy. 2017.
<http://pog.gov.ge/res/docs/saqartvelosprokuratuisstrategia.pdf>.
- 43 Government of Georgia. Action Plan of the Government of Georgia on the Protection of Human Rights 2014-2016. 2014.
<http://www.coe.int/t/commissioner/source/NAP/Georgia-National-Action-Plan-on-Human-Rights.pdf>.
- 44 European Commission. Second Progress Report on the Implementation by Georgia of the Action Plan on Visa Liberalisation. Brussels, October 29, 2014.
http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/docs/20141029_second_progress_report_for_georgia_en.pdf.
- 45 Government of Georgia. National Human Rights Action Plan for 2018 - 2020. 2018.
[http://myrights.gov.ge/ka/plan/Action Plan 2020](http://myrights.gov.ge/ka/plan/Action%20Plan%202020).
- 46 U.S. Department of State official. Email communication to USDOL official. June 28, 2013.
- 47 European Union. INTERNATIONAL AGREEMENTS: Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part. Enacted: August 30, 2014.
https://eeas.europa.eu/sites/eeas/files/association_agreement.pdf.
- 48 Government of Georgia. Child Protection Referral Procedures. September 12, 2016.
http://ssa.gov.ge/index.php?lang_id=GEO&sec_id=52.
- 49 UNICEF. End Violence Against Children. Cited: March 5, 2019.
<http://www.end-violence.org/>.
- 50 ILO. ILO Project to help Georgia improve compliance with labour laws. March 7, 2014. Source on file.
- 51 UNICEF. Country Programme Document-Georgia. New York: UNICEF, 2015.
https://www.unicef.org/about/execboard/files/2015-PL14-Georgia_CPD-ODS-EN.pdf.
- 52 Baum, Tinatin, et al. Continuous Improvement: Strengthening Georgia's Targeted Social Assistance Program. The World Bank. 2016.
<https://openknowledge.worldbank.org/bitstream/handle/10986/24812/9781464809002.pdf?sequence=2&isAllowed=y>.
- 53 CIA. The World Factbook. Accessed August 8, 2019. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
- 54 ILO. Strategies and Practice for Labour Inspection. November 2006: GB.297/ESP/3. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 55 UN. World Economic Situation and Prospects 2017, Statistical Annex. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.

In 2018, Ghana made a moderate advancement in efforts to eliminate the worst forms of child labor. The government secured at least 14 convictions for offenses related to the worst forms of child labor, approved the National Plan of Action Phase II on the Elimination of the Worst Forms of Child Labor, and launched a strategy to combat child labor in the fishing sector. Additionally, representatives from the government met with counterparts from Burkina Faso, Benin, and Togo to discuss coordinating efforts to combat cross-border trafficking. However, children in Ghana continue to engage in the worst forms of child labor, including in fishing and cocoa harvesting, sometimes as a result of human trafficking. Prohibitions related to the commercial sexual exploitation of children and the use of children for illicit activities do not meet international standards. The government also has not acceded to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and resource constraints severely limited government social protection agencies' abilities to fully implement social programs during the reporting period.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ghana engage in the worst forms of child labor, including in fishing and cocoa harvesting, sometimes as a result of human trafficking. (1-5) Table 1 provides key indicators on children's work and education in Ghana.

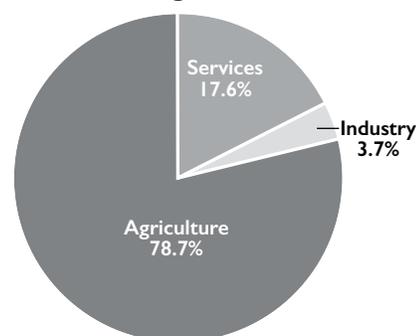
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	24.7 (1,721,914)
Attending School (%)	5 to 14	91.7
Combining Work and School (%)	7 to 14	25.3
Primary Completion Rate (%)		93.8

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Living Standard Survey, Round 6, 2012–2013. (7)

Figure 1. Working Children by Sector, Ages 5-14



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	Producing cocoa,† including land clearing, using machetes and cutlasses for weeding, collecting cocoa pods with a harvesting hook, breaking cocoa pods, working in the vicinity of pesticide spraying, and carrying heavy loads† of water (2,5,8-14)
	Production of palm oil† and cotton, including weeding, harvesting, and acting as scarecrows (11,14,15)
	Herding livestock, including cattle,† hunting, and work in slaughterhouses (14,16,17)
	Fishing,† including for tilapia; preparing bait, nets, and fishing gear; launching, paddling, and draining canoes; diving for fish; casting and pulling fishing nets and untangling them underwater; sorting, picking, cleaning, smoking, transporting, and selling fish; cleaning and repairing nets; and building and repairing boats (1-3,8,10,12,14,15,18-21)
Industry	Quarrying† and small-scale mining,† sometimes for gold, including using mercury, digging in deep pits, crushing rocks by hand, carrying heavy loads,† and operating machinery† (2,4,11,12,18,22-25)
	Manufacturing and working in sawmills† (4,11)
	Construction and bricklaying or carrying brick (14,16)

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Domestic work† (9,13,14,18)
	Transporting heavy loads as <i>kayaye</i> † (3,8,14,18,26,27,28)
	Work in transportation,† activities unknown (4)
	Electronic waste and garbage scavenging,† including sorting scavenged items† and transporting items for sale† (29-32)
	Street work,† including begging,† small-scale vending, and working at restaurants or bars† (4,11,14,33)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (8,13,17,18,34-36)
	Forced labor in begging; agriculture, including herding; fishing, including for tilapia; artisanal gold mining; domestic work; and street work, including vending and carrying heavy loads, each sometimes as a result of human trafficking (1,3,14,17,19,20,37-39)
	Forced ritual servitude for girls known as <i>trokosi</i> , including in domestic work for priests (3,12,14,18,27,34,36,39,40)

† 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.

The majority of children subject to human trafficking are transported within Ghana for labor in cocoa, domestic work, commercial sexual exploitation, gold mining, and fishing. Children as young as age 4 are subjected to forced labor in fishing in the areas around Lake Volta, sometimes as a result of human trafficking. (17,20,24,27,34,38,39) In December 2018, 42 children between the ages of 5 and 16 who had been transported from Central and Greater Accra were rescued from labor exploitation on Lake Volta. (41,42) During the reporting period, the government identified 22 children who were victims of sex trafficking. (8) Children also use sharp tools and are exposed to agro-chemicals while working in the cocoa sector. (5,11) In addition, girls as young as 13 years of age from rural northern regions of Ghana travel to urban centers to work as *kayaye* carrying heavy loads on their heads in markets, and are particularly vulnerable to sexual abuse and exploitation. (28)

According to the Constitution and the Education Act, primary education in Ghana is free and compulsory from kindergarten through junior high school. (43,44) However, in practice, children must pay for school uniforms, fees, and materials, which may be prohibitive for many families. (1,3,9,12,24,29,36,45,46,47) In addition, factors such as a shortage of classrooms, long distance to schools, absence of sanitation facilities, overcrowding in urban areas, sexual harassment of girls in schools, physical violence, verbal abuse, and poor educational infrastructure, particularly in rural areas, severely limit access to education for many children. (1,9,12,14,24,36,45,47) In response, the government has made efforts to increase the accessibility of public education, including by building schools to reduce the distance students must travel, providing school uniforms, lifting birth registration requirements for enrollment, and extending free education through high school. (48,47) Although uniforms and birth certificates are required for admittance into free public school, in practice students are not denied admission if they do not have uniforms or birth certificates. (49) The extension of free senior high school throughout the country has resulted in an influx of students and overcrowded schools. To address this issue, in 2018, the government introduced a dual-track system whereby students, typically between the ages of 13 and 17, may attend school in alternating semesters and take advantage of opportunities such as vocational training when they are not in school. (8,49) However, reports suggest that such opportunities are often not readily available. As a result, these children are vulnerable to recruitment into child labor. (8) The government operates 14 national schools for deaf and blind students. (47)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Ghana has ratified most 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	✓

Table 3. Ratification of International Conventions on Child Labor (Cont.)

	Convention	Ratification
	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 Ghana's legal framework to adequately protect children from the worst forms of child labor, including the use of children in commercial sexual exploitation.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Section 89 of the Children's Act (50)
Minimum Age for Hazardous Work	Yes	18	Section 91 of the Children's Act (50)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 28.1d, 28.2, and 28.5 of the Constitution; Article 7 of the Labor Regulations Legislative Instrument; Sections 91 and 92 of the Children's Act; Article 58 of the Labor Act (43,50-53)
Prohibition of Forced Labor	Yes		Articles 16.1 and 16.2 of the Constitution; Articles 116 and 117 of the Labor Act; Sections 1–3 and 42 of the Human Trafficking Act; Sections 1 and 2 of the Human Trafficking Prohibition Legislative Instrument (43,51,54,55)
Prohibition of Child Trafficking	Yes		Sections 1 and 2 of the Human Trafficking Act; Sections 1 and 2 of the Human Trafficking Prohibition Legislative Instrument; Articles 21–25 of the Labor Regulations Legislative Instrument (52,54,55)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 101A, 107–108, 110, 111, 274–277, and 279–283 of the Criminal Offenses Act; Article 7(2) of the Labor Regulations Legislative Instrument (52,56)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Ghana Armed Forces General Eligibility (Recruits) (57)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Ghana Armed Forces General Eligibility (Recruits) (57)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15‡	Article 2.2 of the Education Act (44)
Free Public Education	Yes		Article 25.1.a of the Constitution; Articles 1.1, 1.2, and 2.2 of the Education Act (43,44)

* No conscription (58)

‡ Age calculated based on available information (58)

In February 2018, the government approved the National Plan of Action Phase II on the Elimination of the Worst Forms of Child Labor (NPA2), and in doing so, effectively approved the Hazardous Child Labor Activity Framework (HAF). The HAF serves as a guide to implement the NPA2 and extends the scope of prohibited hazardous work activities to work in agriculture, domestic work, and lake fishing. (8,49,59) However, supplementary implementing regulations to the Labor Act, which were drafted in 2016 and include protections for domestic workers, were not issued in the reporting period. (49,60) In addition, Ghana's laws do not criminally prohibit the use of a child in pornographic performances. (61)

MODERATE ADVANCEMENT

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 authority of the Ministry of Employment and Labor Relations (MELR) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment and Labor Relations (MELR)	Enforces child labor laws. In 2018, budgeted approximately \$67,000 for activities to combat child labor. (8) In September 2018, organized a national forum to discuss and review the Ghana Child Labor Monitoring System (GCLMS), a monitoring, data collection, and referral mechanism. (62)
Ministry of Local Government and Rural Development	Oversees District Assemblies. Labor inspectors from District Assemblies investigate child labor violations, educate employers on compliance with child labor laws, and conduct inspections. (1,63,48) Within District Assemblies, Social Services subcommittees enforce child labor provisions in the informal sector. (50,64) In 2018, District Assemblies in Ada and Afram Plains funded and organized ceremonies to commemorate World Day Against Trafficking in Persons. (42,64) Additionally, in 2018, both Aowin and Adansi North districts published medium term development plans which aim to facilitate intra-district collaboration and coordination on addressing child labor in cocoa production and in mining. (62,65,66)
Ministry of the Interior (MOI)	Through its Ghana Police Service (GPS), investigates, arrests, and prosecutes cases related to the worst forms of child labor and operates a 24/7 hotline for reporting crimes. (67) Within the GPS, the Domestic Violence and Victim Support Unit and Anti-Human Trafficking Unit (AHTU) investigate cases and provide support to victims. (3,14,37,48) Through its Ghana Immigration Service, combats human trafficking through Anti-Human Smuggling and Trafficking Units. (67-69)
Ministry of Justice's Office of the Attorney General	Combats child labor by prosecuting child labor and child trafficking crimes. (48) Within the Economic and Organized Crime Office, the Human Trafficking Unit shares responsibility with the AHTU for combating human trafficking, confiscating proceeds from human trafficking, and providing ongoing training for law enforcement on prevention measures. (70,71) In February 2018, the governing board of the Economic and Organized Crime was inaugurated, and the number of staff on the board was increased from four to seven. (42)
Minerals Commission	Inspects licensed mining sites and raises awareness among criminal law enforcement agencies of laws that apply to the mining sector. (24)
Ministry of Gender, Children, and Social Protection (MOGCSP)	Combats child labor and leads government efforts to combat human trafficking. (67) Through its Department of Social Welfare (DSW), operates shelters for vulnerable children, administers juvenile justice, and implements programs to combat child labor. (14,70,72) Through its Human Trafficking Secretariat, oversees the creation, implementation, and review of human trafficking policies and ensures proper monitoring, evaluation, and data collection. (67) Operates a hotline to facilitate access to social services, including for victims of human trafficking. The hotline received 3,599 calls in 2018. (8,69)
Community Child Protection Committees (CCPCs)/District Child Protection Committees (DCPCs)	Receive complaints of child labor violations at the community and district levels, respectively, and report cases to the GPS, DSW, or traditional authorities, who work with the police to conduct investigations. (24,73,74) Participate in the GCLMS to monitor, prevent, and withdraw children from the worst forms of child labor in more than 600 communities nationwide as part of the Child and Family Welfare Policy. (16,33,46) During the reporting period, many communities either had defunct CCPCs or lacked CCPCs, and some districts' DCPCs were inactive. (75)

Although the Attorney General's Department is responsible for prosecuting child trafficking violations, there were an insufficient number of state attorneys designated to prosecute human trafficking crimes. Instead, the majority of cases were handled by the Ghana Police Service (GPS) prosecutors, who often have minimal formal legal training and are limited by procedural rules not applicable to state attorneys. (49,67)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Ghana took actions to combat child labor (Table 6). However, gaps exist within the authority of the MELR that may hinder adequate labor law enforcement, including the authority of labor inspectors to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (48)	Unknown (8)
Number of Labor Inspectors	105 (48)	97 (8)
Inspectorate Authorized to Assess Penalties	No (48)	No (8)
Initial Training for New Labor Inspectors	Yes (48)	No (8)
Training on New Laws Related to Child Labor	N/A (48)	No (8)
Refresher Courses Provided	No (48)	No (8)
Number of Labor Inspections Conducted	312 (48)	283‡ (8)
Number Conducted at Worksite	312 (48)	Unknown (8)
Number of Child Labor Violations Found	0 (48)	Unknown (8)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	Unknown (8)
Number of Child Labor Penalties Imposed that Were Collected	N/A	Unknown (8)
Routine Inspections Conducted	Yes (48)	Unknown (8)
Routine Inspections Targeted	No (48)	Unknown (8)
Unannounced Inspections Permitted	Yes (48)	Yes (8)
Unannounced Inspections Conducted	Unknown (48)	Unknown (8)
Complaint Mechanism Exists	Yes (48)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (48)	Yes (8)

‡ Data are from January 1, 2018 to November 30, 2018.

The number of labor inspectors is likely insufficient for the size of Ghana's workforce, which includes almost 12 million workers. (76) According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Ghana would employ about 833 inspectors. (76,77) Inadequate resources, including funding, transportation, office space, and office supplies, hamper the labor inspectorate's capacity to enforce child labor laws, particularly in the informal sector in which child labor is most common. (8,24,63,48) Formal referral mechanisms continued to be hindered by lack of shelter space and transportation for victims. The government did not provide data on the number of child labor violations identified. (48)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Ghana took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal law enforcement agencies that may hinder adequate criminal law enforcement, including financial resource allocation and 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	Yes (39,67)	Yes (8)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (8)
Refresher Courses Provided	Yes (67,78)	Yes (8)
Number of Investigations	196 (69)	48 (8)
Number of Violations Found	217 (69)	229 (64)
Number of Prosecutions Initiated	14 (79-81)	14 (8)
Number of Convictions	5 (48,79,80)	14 (64)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (48)	Yes (8)

During the reporting period, 64 police and immigration officials received training on child labor as part of a trafficking-in-persons training. (8) Additionally, during the reporting period the Central Regional Police Command organized a sensitization for school children in Cape Coast to raise awareness of child trafficking. (21)

Members of parliament have attempted to discourage investigations or prosecutions of child trafficking offenses, and high staff turnover limits the government's ability to investigate and prosecute these offenses.

Ghana

MODERATE ADVANCEMENT

(39,63,48,67,69,82) In December 2018, the government in conjunction with an NGO partner rescued 42 child victims of trafficking who were engaged in exploitative labor on Lake Volta. The traffickers were identified as political party officials. They sought the assistance of a member of parliament who threatened to shut down the NGO's office. (41,42,83) The case is currently pending in court. (42)

According to the GPS, in 2018, nine child labor trafficking cases were prosecuted. As a result of these prosecutions, 14 defendants were convicted of violating the Children's Act of 1998 by engaging a child in exploitative and hazardous work. (64) Convicted individuals were required to pay a fine of approximately \$309 and sign a statement committing to good behavior. (8) All victims received support including shelter, medical attention, nutrition, and counseling from either government or NGO providers. (8) During the reporting period, the Accra Circuit Court sentenced a woman to 5 years in prison under the Human Trafficking Act for her involvement in selling a 14-year-old boy for \$20. (84,85) Additionally, in 2018, the courts convicted 3 other individuals on labor trafficking charges involving children in violation of the Human Trafficking Act. Two defendants were sentenced to 5 years of hard labor, and one defendant was sentenced to 7 years of hard labor. (42,86)

Criminal law enforcement agencies continued to note that poor inter-agency coordination and insufficient resources for transportation and victim support resulted in under-reporting of cases and hampered enforcement efforts. (12,34,37,39,67,69) In addition, coordination among government officials on human trafficking issues was uneven across the country. The government relies heavily on NGOs to identify cases of child trafficking, and cooperation improved during the year. (67,75,82) In October and November 2018, five Ghanaian law enforcement officials participated in a week-long training on combating human trafficking and sexual exploitation of children held at the U.S.-sponsored International Law Enforcement Academy in Botswana. During the reporting period, authorities identified 22 children who had been transported for purposes of commercial sexual exploitation. (42)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Coordinate government efforts to combat the worst forms of child labor; and oversee implementation of the National Plan of Action Phase II on the Elimination of the Worst Forms of Child Labor (NPA2), which includes implementation of the GCLMS. (48,67,87,88) Led by the MELR's Child Labor Unit (CLU) and includes representatives from other ministries, employers' and workers' organizations, and civil society. (1,48,87,89,90) In 2018, the Committee held two meetings, and convened a national two-day forum in September to review the GCLMS. (8,91) From August to September 2018 traveled to four districts to conduct monitoring visits of the implementation of child labor projects. (92)
Inter-Ministerial Committee to Combat Human Trafficking	Aims to prevent Ghanaian migrants from becoming victims of human trafficking. (69) Comprising MELR, MOGCSF, Ministry of Justice, and MOI. In October 2018, committed to using the Trafficking in Persons Information System to improve case tracking. (8)
MELR's Child Labor Unit (CLU)	Facilitates the development of policies and laws to combat child labor, coordinates interventions to combat child labor, and oversees child protection committees at the district level. (3,23,24,63,74,87) Provides technical support to ministries, departments and agencies, employers' and workers' organizations, and international agencies such as ILO, IOM, and UNICEF. (1,48) In 2018, allocated \$107,000 to carry out its work and conducted child labor monitoring exercises in 4 cocoa districts. (8)

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 mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan of Action Phase II on the Elimination of the Worst Forms of Child Labor (NPA2) (2017–2020)†	Aims to address gaps identified in the first NPA (2009–2015), improve coordination, and reduce the worst forms of child labor to 10 percent by 2021, with a focus on the fishing, mining, and cocoa sectors. (11,49,88,89) Approved by the Cabinet in February 2018 and launched in May 2018. Will review GCLMS and the development of protocols and guidelines to declare child labor-free zones; expected to be finalized in 2019. (8,62) Activities include providing school uniforms and supplies to needy students to motivate attendance, improving access of older children to apprenticeship opportunities, and improving enrollment of needy families in areas with high prevalence of child labor. (8)
National Plan of Action for the Elimination of Human Trafficking in Ghana (NPA) (2017–2021)	Aims to improve data collection, enhance victim protection, increase accountability for perpetrators, and conduct prevention and outreach, including an expansion of the Livelihood Empowerment Against Poverty (LEAP) Program. (93) During 2018, the government printed and distributed awareness-raising materials, including posters and billboards, and organized community awareness-raising events. In addition, the government organized stakeholder meetings to track progress of NPA implementation and took preliminary steps to establish a shelter for child victims of trafficking. (42,49)
Hazardous Child Labor Activity Frameworks	Includes the Hazardous Child Labor Activity Framework and the Hazardous Child Labor Activity Framework for the Cocoa Sector. Developed in consultation with workers' and employers' organizations, identify hazardous activities that should be prohibited for children. (53,59,94) In 2018, with approval of NPA2, both frameworks entered into force. (8,49)
2010 Declaration of Joint Action to Support the Implementation of the Harkin-Engel Protocol (2010 Declaration) and Its Accompanying Framework of Action	Joint Declaration by the Governments of Ghana, Côte d'Ivoire, and the United States, and the International Cocoa and Chocolate Industry. (95-97) Provides resources and coordinates with key stakeholders on efforts to reduce the worst forms of child labor in cocoa-producing areas. (95,96) Ensures that all project efforts implemented under the Declaration and Framework align with Ghana's national action plans to promote coherence and sustainability. (95-97) USDOL-funded projects and some industry-funded projects carried out activities in support of this policy during the reporting period. (97)
Bi-Lateral Commitments to Combat Cross-Border Trafficking	Joint declaration signed by the First Ladies of Côte d'Ivoire and Ghana to combat the worst forms of child labor and advocate for sub-regional cooperation with other First Ladies. (98) A subsequent cooperative agreement between the two governments further operationalizes the declaration, which targets high-risk sectors, provides protection to victims, improves coordination, and prosecutes offenders. (99,100) A Memorandum of Understanding (MOU) with the Government of Jordan formalizes labor recruitment practices and provides for support and repatriation of Ghanaian victims of human trafficking in Jordan. (70) During the reporting period representatives from the government met with counterparts from Burkina Faso, Benin, and Togo to discuss coordinating efforts to combat cross-border crime including human trafficking. (101)
Minerals and Mining Policy of Ghana	Prohibits child labor in mining and stipulates children who visit mining sites must be supervised. (102) In May 2018, district mining officers of the Minerals Commission participated in a workshop organized by ILO to build capacity in identification of child labor at mining sites, and the process for referring these children to social services. As a result of this workshop, a digital inter-ministerial child labor monitoring tool known as Galamstop was developed. (62) In August 2018, the Minerals Commission, CLU, and ILO made recommendations for the inclusion of provisions on child labor in a proposed amendment to the Minerals and Mining Policy. (62)
Strategy on Anti-Child Labor and Trafficking in Fisheries†	Ministry of Fisheries and Aquaculture Development policy that aims to significantly reduce the incidence of child labor in fisheries by improving child protection systems and increasing prosecution of offenders. (103)

† 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. (37,104)

In October 2018, the government participated in a workshop on the methodology of the 2018–2019 survey being conducted by NORC at the University of Chicago on the prevalence of child labor in cocoa-growing areas in Ghana. The survey fieldwork commenced in November 2018 and concluded in January 2019. (105) During the reporting period, the Cabinet approved NPA2, which aims to reduce the prevalence of the worst forms of child labor by establishing social policy and institutional capacity to eliminate and prevent all forms of child labor. (8,11) The National Migration Policy does not include child labor elimination and prevention strategies. (38,106)

Ghana

MODERATE ADVANCEMENT

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 funding and adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor. These projects include: Adwuma Pa (2018–2022), \$5 million project implemented by CARE; Combating Forced Labor and Labor Trafficking of Adults and Children in Ghana (2017–2021), \$2 million project implemented by Verité; Assessing Progress in Reducing Child Labor in Cocoa-Growing Areas of Côte d'Ivoire and Ghana (2015–2019), \$3 million project implemented by NORC at the University of Chicago; Mobilizing Community Action and Promoting Opportunities for Youth in Ghana's Cocoa-Growing Communities (MOCA) (2015–2019), \$4.5 million project implemented by Winrock International; CARING Gold Mining Project (ASGM), \$5 million project implemented by ILO in Ghana and the Philippines; and the Global Action Program on Child Labor Issues (GAP), a research project implemented by ILO in 10 countries. Some projects may be in support of the 2010 Declaration to combat child labor in the cocoa sector. (107-110) Additional information is available on the USDOL website.
U.S. Government-Funded Projects	USG-funded projects aim to improve child protection measures in partnership with the host government. Includes Child Protection Compact Partnership (CPC) (2015–2020), \$5 million USDOS-funded project implemented by IOM and local NGO Free the Slaves; Accelerating Care Reform (2016–2020), \$8 million USAID- project implemented by the DSW and UNICEF to strengthen the social welfare system; LEAP 1000 (2014–2019), \$12 million USAID- project implemented by UNICEF to strengthen the existing LEAP program and fund cash transfers to 6,200 poor households; Sustainable Fisheries Management Project (2014–2020), \$24 million USAID-funded project implemented by CRC/URI which includes activities aimed at reducing child labor in the fishing sector which assisted the Ministry of Fisheries and Aquaculture Development to develop a child labor and trafficking strategy that was launched in October 2018; the Complementary Basic Education Program, a \$40 million joint contribution between USAID and the UK's Department for International Development to support Ghana's Ministry of Education' efforts to educate and re-integrate out-of-school children into the basic school system; and the USAID-UNICEF \$37 million jointly funded Learning Support program, which helps increase inclusive education services for special needs children in primary schools. (8,111-116)
Industry-Funded Projects	Projects aim to increase sustainability in the cocoa sector, improve farmer livelihoods, improve access to education, and combat the worst forms of child labor in cocoa-growing areas. Some projects may be in support of the World Cocoa Foundation's CocoaAction (2014–2020) initiative and the spirit of the 2010 Declaration. (97,117,118) During the reporting period, the government engaged with international partners by conducting child labor surveys in cocoa-growing communities. (8)
Awareness Raising Activities†	Large-scale events by MOGCSP, AHTU, MOI, and MELR to raise awareness of child trafficking issues through radio and television broadcasts, public events, and community activities. (42,69,119) In 2018, the government printed and distributed 1,000 copies of the NPA, and 4,000 flyers and 2,000 posters intended to raise awareness of human trafficking issues, including child trafficking. (42)
Livelihood Empowerment Against Poverty (LEAP)†	MOGCSP-administered conditional cash transfer program that provides monetary support to poor households with orphans and vulnerable children on the condition that these children attend school, receive vaccinations, and regularly visit health care facilities. (24,120-122) Serves over 213,000 households throughout the country. (122) During the reporting period, members of the LEAP unit trained senior officials in Ghana's metropolitan, municipal, and district assemblies (MMDAs) in all but the Volta and Eastern Regions on human trafficking and child labor trends, Ghana's efforts to address the issues, and the role MMDAs can play to address trafficking. (42)
Educational Programs†	The Ghana Cocoa Board's Child Education Support Program rehabilitates and builds schools in cocoa-growing areas. (123,124) Ministry of Education-funded programs under the Free Compulsory Universal Basic Education aim to increase school attendance and enrollment. (104,124) Include MOGCSP's Ghana School Feeding Program, which aims to reduce malnutrition and improve attendance among students; the Capitation Grant Scheme, which helps defray the cost of basic education for students in public primary schools; and the Ghana Education Service—Girls' Education Unit, which places girls' education officers at the regional and district levels and mobilizes communities to enroll more girls in school. (1,121,122,125,126) The Ghana Education Service program includes the distribution of 400,000–500,000 free school uniforms and exercise books to districts with poor enrollment rates. (121,126,127) In 2018, MOGCSP-run Ghana School Feeding Program provided meals to nearly 2 million school children daily. (128) During the reporting period, the government, in conjunction with WFP and MasterCard Foundation, conducted a cost-benefit analysis of the school feeding program, which determined that by investing \$356 in feeding 1 student over an 8-year period, \$1,173 could be generated. (129)
MOGCSP Programs†	Include programs to support vulnerable children. Program to Assist Kayayei provides rehabilitation and reintegration support; "Get Off the Street" program aims to remove children from the street and reintegrate them into family and educational settings; Human Trafficking Fund provides financial support to victims. (69,72) During the reporting period, "Get Off the Street" program rescued 78 children in Accra, placing children in vocational training and providing psychiatric treatment to children found to be heavy drug users. (64)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
m-Birth	Ministry of Local Government and Rural Development program, supported by UNICEF and Tigo, to transition from a manual birth registration process to automated birth registration. (130,131) Between 2016 and 2018, 926,405 births were registered using m-Birth. In 2018, UNICEF and the government evaluated the m-Birth initiative and found that since 2014, over 87 percent of registered births were attributed to m-Birth in the target region. (132) During the reporting period, the government used lessons learned from m-Birth to begin the development of more sophisticated birth registration software. (132)

† Program is funded by the Government of Ghana.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (67,125,133,134)

The Child Labor Unit, the GPS's Anti-Human Trafficking Unit, the Ministry of Gender, Children and Social Protection, and local NGOs cite the lack of funding as one of the primary obstacles in implementing programs to address child labor. (48,69,135) In addition, government-run shelters for abused children are poorly managed and did not receive sufficient funding during the reporting period. (3,39,67,135) In 2018, the government spent approximately \$43,000 to refurbish the Madina shelter for child victims of trafficking which was not yet operational by the end of the reporting period. (8,136)

Although the government has worked closely with industry, NGOs, and international organizations to implement child labor programs in cocoa, fishing, and mining, the magnitude of these programs remains insufficient to address the scope of the problem. (58)

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 Ghana (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2018
	Ensure that laws criminally prohibit all forms of commercial sexual exploitation of children, including by prohibiting the use of a child in pornographic performances.	2009 – 2018
	Ensure that laws criminally prohibit the use of children in all illicit activities, including for the production and trafficking of drugs.	2016 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2015 – 2018
Enforcement	Ensure that prosecutors who have received sufficient legal training oversee and lead the prosecution of cases involving the worst forms of child labor, that government officials do not intervene in criminal investigations, and that these cases are prosecuted according to the law.	2015 – 2018
	Publish information on the amount of funding allocated to the labor inspectorate and ensure inspectorates have adequate resources, including office space, transportation, and supplies to adequately carry out their mandate throughout the country.	2009 – 2018
	Strengthen the Labor Inspectorate by ensuring inspectors conduct targeted routine and unannounced inspections and are authorized to assess penalties for labor violations.	2014 – 2018
	Ensure that labor inspectors receive periodic refresher training.	2013 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2010 – 2018
	Establish a mechanism to track cases of child labor for referral to law enforcement or social services providers.	2014 – 2018
	Ensure that criminal enforcement agencies coordinate adequately and receive adequate resources for transportation and victim support.	2015 – 2018
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2013 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Improve access to education by eliminating school-related fees, increasing the number of classrooms, improving access to schools, providing sanitation facilities, and prohibiting sexual harassment in schools.	2010 – 2018
	Ensure that social programs receive sufficient funding to carry out their objectives.	2014 – 2018
	Expand the availability of government-supported shelter services for child victims.	2016 – 2018
	Create, replicate, and expand effective models for addressing exploitative child labor in the cocoa sector.	2009 – 2018

REFERENCES

- ILO-IPEC. Analytical Study on Child Labour in Lake Volta Fishing in Ghana. Geneva, 2013. <http://challengingheights.org/wp-content/uploads/2014/10/ILO-CHILD-LABOUR-IN-VOLTA-LAKE-FISHING-STUDY-FINAL-REPORT.pdf>.
- UN Human Rights Council. Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises: 2014. A/HRC/26/25/Add.5. May 6, 2014. http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Documents/A_HRC_26_25_Add.5_ENG.DOC.
- UN Human Rights Council. Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian. A/HRC/27/53/Add.3. October 1, 2014. http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A-HRC-27-53-Add3_en.doc.
- Government of the Republic of Ghana. Ghana Living Standards Survey Round 6 (GLSS6) Main Report. Accra, August 2014. http://www.statsghana.gov.gh/docfiles/glss6/GLSS6_Main_Report.pdf.
- Tulane University. Final Report: 2013/14 Survey Research on Child Labor in West African Cocoa-Growing Areas. New Orleans: Payson Center for International Development and Technology Transfer, July 30, 2015. <http://www.childlaborcocoa.org/index.php/2013-14-final-report>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Living Standard Survey Round 6, 2012–2013. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Accra. Reporting, February 5, 2019.
- UCW. Child Labour and the Youth Decent Work Deficit in Ghana. Inter-Agency Country Report. Rome: International Labour Organization (ILO), and Centre for Economic and International Studies (CEIS), February 2016. http://www.ucw-project.org/attachment/13052016890Ghan_child_labour_youth_employment_report.pdf.
- UN Human Rights Committee. Human Rights Committee considers the report of Ghana. Geneva, June 24, 2016. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20180&LangID=E>.
- Government of the Republic of Ghana. National Plan of Action Phase II (NPA2) for the Elimination of the Worst Forms of Child Labour in Ghana (2017–2021): Toward Achieving Sustainable Development Goal (SDG) 8.7. Accra, 2016. [https://www.unicef.org/ghana/NPA_\(II\)_EWFCFL.pdf](https://www.unicef.org/ghana/NPA_(II)_EWFCFL.pdf).
- UN Human Rights Council. Summary of Stakeholders’ submissions on Ghana - Report of the Office of the United Nations High Commissioner for Human Rights. A/HRC/WG.6/28/GHA/3. August 8, 2017. <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WG.6/28/GHA/3&Lang=E>.
- Ministry of Employment and Labour Relations, and COCOBOD. National Programme on the Elimination of the Worst Forms of Child Labour in Cocoa (NPECLC), 2017 – 2020. March 2017. Source on file.
- UNICEF Ghana. Child Protection Baseline Research. 2014. https://www.unicef.org/ghana/protection_11979.html.
- Abranoma, Nyarko. Child labor on the rise in fishing, oil palm sector despite decrease in cocoa sector - ICI. Ghana Web. November 9, 2018. <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Child-labour-on-the-rise-in-fishing-oil-palm-sector-despite-decrease-in-cocoa-sector-ICI-699277>.
- U.S. Embassy- Accra official. Email communication to USDOL official. February 22, 2016.
- Nordic Consulting Group A/S, and JMK Consulting Ltd. “Growing Up Free” Baseline Report. February 14, 2017. Source on file.
- UN Committee on the Rights of the Child. Concluding observations on the combined third to fifth periodic reports of Ghana. CRC/C/GHA/CO/3-5. Geneva, June 9, 2015. [http://tbinternet.ohchr.org/Treaties/CRC/Shared Documents/GHA/INT_CRC_COC_GHA_20799_E.pdf](http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GHA/INT_CRC_COC_GHA_20799_E.pdf).
- USAID. Sustainable Fisheries Management Project (SFMP) Ghana Fisheries Gender Analysis. Narragansett, RI: Graduate School of Oceanography, University of Rhode Island, June 2015. http://www.crc.uri.edu/download/GEN001_SFMPGenderAnalysisRpt_FINAL_508.pdf.
- Adeyemi, Adebayo, et al. Child Trafficking into Forced Labor on Lake Volta, Ghana: A Mixed-Methods Assessment. Washington, DC: International Justice Mission, May 2016. <http://www.ijm.org/sites/default/files/resources/ijm-ghana-report.pdf>.
- Arkoh, Issac. More than 49,000 children trapped in child labour on Volta Lake. Ghana News Agency. July 29, 2018. <http://www.ghananewsagency.org/social/more-than-49-000-children-trapped-in-child-labour-on-volta-lake-136354>.
- Human Rights Watch. Human Rights Watch submission to the Committee on the Rights of the Child for the pre-session of Ghana. July 2014. http://tbinternet.ohchr.org/Treaties/CRC/Shared Documents/GHA/INT_CRC_NGO_GHA_17937_E.pdf.
- Free the Slaves. Child Rights in Mining- Pilot Project Results & Lessons Learned. Obuasi, Ghana, March 2014. <https://www.freetheslaves.net/wp-content/uploads/2015/03/ChildRightsinMiningPilotProjectOverview.pdf>.
- Human Rights Watch. Precious Metal, Cheap Labor: Child Labor and Corporate Responsibility in Ghana’s Artisanal Gold Mines. New York, June 10, 2015. https://www.hrw.org/sites/default/files/report_pdf/ghana0515_forinserttr2_0.pdf.

- 25 Social Support Foundation. Galamsey Mining – Case Study. SSFGhana.org, 2015.
<http://www.ssfghana.org/galamsey-mining-case-study/>.
- 26 Government of the Republic of Ghana. Ghana; National stakeholders conference on child protection held in Accra. *allafrica.com*, February 9, 2015: Press Release.
<https://allafrica.com/stories/201502092494.html>.
- 27 ECPAT International. The Commercial Sexual Exploitation of Children in Africa: Developments, progress, challenges and recommended strategies. Bangkok, November 2014.
http://www.ecpat.org/wp-content/uploads/legacy/Regional_CSEC_Overview_Africa.pdf.
- 28 Wemakor, Joseph Kobla. Ending woes of Kayayei in Ghana: A fight we must all strive to win. *GhanaWeb*. July 11, 2018.
<https://www.ghanaweb.com/GhanaHomePage/features/Ending-woes-of-Kayayei-in-Ghana-A-fight-we-must-all-strive-to-win-667724#>.
- 29 Yeebo, Yepoka. Inside a Massive Electronics Graveyard. *The Atlantic*, December 29, 2014.
http://www.theatlantic.com/technology/archive/2014/12/inside-a-massive-electronics-graveyard/383922/?single_page=true.
- 30 McConnell, Andrew. Rubbish Dump 2.0. *AndrewMcConnell.Photoshelter.com*, Accessed November 19, 2015.
<http://andrewmcconnell.photoshelter.com/gallery-image/Rubbish-Dump-2-0/G0000oLuiBLHismM/10000XOQfQxbyCWA>.
- 31 All Things Considered. A Shadow Economy Lurks in an Electronics Graveyard [audio]. Washington, DC: NPR, January 4, 2015.
<http://www.npr.org/2015/01/04/374780916/a-shadow-economy-lurks-in-an-electronics-graveyard>.
- 32 Kirkpatrick, Nick. Making a living in the toxic world of discarded electronics. *Washington Post*, April 15, 2015.
https://www.washingtonpost.com/news/in-sight/wp/2015/04/15/the-children-who-make-a-living-in-the-toxic-world-of-discarded-electronics/?utm_term=.44a425b95c66.
- 33 Sore, Albert, and Hashmin Mohammed. Child Labour rampant in Ghana despite strict laws against it. *Joy News*, September 24, 2015.
<http://www.myjoyonline.com/news/2015/September-24th/child-labour-rampant-in-ghana-despite-strict-laws-against-it.php>.
- 34 Hawke, Angela, and Alison Raphael. Offenders on the Move: Global Study on Sexual Exploitation of Children in Travel and Tourism. Bangkok: ECPAT International, May 2016.
<http://cf.cdn.unwto.org/sites/all/files/docpdf/global-report-offenders-move-final.pdf>.
- 35 ECPAT International, and Ghana NGOs Coalition on the Rights of the Child (GNCRC). Global Study on Sexual Exploitation of Children in Travel and Tourism. Country-Specific Report: Ghana. June 2015.
<http://www.ecpat.org/wp-content/uploads/2016/10/3.-SECTT-GHANA.pdf>.
- 36 UN Human Rights Council. Compilation on Ghana - Report of the Office of the United Nations High Commissioner for Human Rights. *A/HRC/WG.6/28/GHA/2*. August 28, 2017:
<http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WG.6/28/GHA/2&Lang=E>.
- 37 Government of the Republic of Ghana. Child and Family Welfare Policy. Accra: Ministry of Gender, Children and Social Protection, February 2015. Source on file.
- 38 Ministry of the Interior. National Migration Policy for Ghana. Accra, April 2016.
<http://migratingoutofpoverty.dfid.gov.uk/files/file.php?name=national-migration-policy-for-ghana.pdf&site=354>.
- 39 U.S. Department of State. Trafficking in Persons Report- 2018: Ghana. Washington, DC, June 28, 2018.
<https://www.state.gov/j/tip/rls/tiprpt/countries/2018/282661.htm>.
- 40 ILO Committee of Experts. Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Ghana (ratification: 2000). Published: 2016.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3242593.
- 41 Joy Online. 42 minors rescued from slavery on Volta Lake. December 10, 2018.
<https://www.myjoyonline.com/news/2018/December-10th/42-minors-rescued-from-slavery-on-volta-lake.php>.
- 42 U.S. Embassy- Accra. Reporting, February 19, 2019.
- 43 Government of the Republic of Ghana. Constitution of the Republic of Ghana. Enacted: 1992.
<http://www.ghanaweb.com/GhanaHomePage/republic/constitution.php>.
- 44 Government of the Republic of Ghana. The Education Act, Act 778. Enacted: 2008.
<https://www.ilo.org/dyn/natlex/docs/MONOGRAPH/83622/92463/F2061259086/GHA83622.pdf>.
- 45 Government of the Republic of Ghana. Ghana Living Standards Survey (GLSS6) Child Labour Report. Accra, August 26, 2014. Source on file.
- 46 Gyebi, Edmond. Ghana; School girls sell bodies for phones. *allafrica.com*, January 23, 2015.
<https://allafrica.com/stories/201501261946.html>.
- 47 U.S. Department of State. Country Reports on Human Rights Practices - 2018: Ghana. Washington, D.C. March 13, 2019.
<https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/ghana/>.
- 48 U.S. Embassy- Accra. Reporting. January 29, 2018.
- 49 U.S. Embassy- Accra official. Email communication with USDOL official. July 11, 2019.
- 50 Government of the Republic of Ghana. The Children's Act, Act 560. Enacted: September 24, 1998.
<http://www.ilo.org/dyn/natlex/docs/WEBTEXT/56216/65194/E98GHA01.htm>.
- 51 Government of the Republic of Ghana. Labour Act of 2003, Act 651. Enacted: March 31, 2004.
<https://www.ilo.org/legacy/english/inwork/cb-policy-guide/ghanalabouract2003section109.pdf>.
- 52 Government of the Republic of Ghana. Labour Regulations Arrangement of Regulations, L.I. 1833. Enacted: 2007.
http://www.ilo.org/dyn/travail/docs/1198/Labour_Regulations_2007.pdf.
- 53 Government of the Republic of Ghana. Hazardous Child Labour Activity Framework for Ghana (HAF). Enacted: 2012. Source on file.
- 54 Government of the Republic of Ghana. Human Trafficking Act, Act 694. Enacted: December 5, 2005.
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/74422/101249/F630282635/GHA74422.pdf>.
- 55 Government of the Republic of Ghana. Human Trafficking Prohibition (Protection and Reintegration of Trafficked Persons Regulations), L.I. 2219. Enacted: June 22, 2015.
<https://www.warnathgroup.com/wp-content/uploads/2017/01/2015-Human-Trafficking-Prohibition-Regulations-L.I.-2219.pdf>.
- 56 Government of the Republic of Ghana. Criminal Offenses (Amendment) Act, Act 849. Enacted: June 27, 2012.
<http://www.refworld.org/pdfid/44bf823a4.pdf>.
- 57 Ghana Armed Forces. General Eligibility (Recruits). Accessed May 4, 2018. <https://schoolgh.com/ghana-armed-forces-recruitment/>.
- 58 U.S. Embassy- Accra. Reporting. January 15, 2016.
- 59 Government of the Republic of Ghana. Hazardous Child Labour Activity Framework for the Cocoa Sector. Enacted: June 2008.
https://cocoainitiative.org/wp-content/uploads/2016/07/hazardous_ghana_framework.pdf.
- 60 U.S. Embassy- Accra. Reporting. January 29, 2018.
- 61 ILO Committee of Experts. Individual Direct Request Concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Ghana (ratification: 2000). Published: 2019.
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3963418.
- 62 ILO-IPEC. Convening Stakeholders to Develop and Implement Strategies to Reduce Child Labour and improve working conditions in Artisanal and Small Scale Gold Mining (CARING Gold Mining) Project. 2018: Technical Progress Report. Source on file.

MODERATE ADVANCEMENT

- 63 U.S. Department of State. Country Reports on Human Rights Practices-2016: Ghana. Washington, DC, March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/ghana/>.
- 64 U.S. Embassy- Accra official. Email correspondence to USDOL official. March 22, 2019.
- 65 Adansi North District. Medium Term Development Plan (2018–2021). 2018. Source on file.
- 66 Aowin District Assembly, District Planning Coordinating Unit. District Medium Term Development Plan 2018–2021. 2018. Source on file.
- 67 U.S. Embassy- Accra. Reporting. February 13, 2018.
- 68 Mensah, Mary. Human trafficking, child labor abuses. Worst form of human rights violation - Mrs. Mahama. Graphic.com, September 17, 2016. <http://www.graphic.com.gh/news/general-news/human-trafficking-child-labour-abuses-worst-form-of-human-rights-violation-mrs-mahama.html>.
- 69 Government of the Republic of Ghana. Trafficking in Persons (TIP) Report on Ghana - 2017 Responses. Accra, January 2018. Source on file.
- 70 U.S. Embassy- Accra. Reporting. February 14, 2017.
- 71 U.S. Embassy- Accra. Reporting. February 1, 2016.
- 72 Ghana News Agency. Department of Social Welfare changes name. October 26, 2015. <http://www.ghananewsagency.org/social/department-of-social-welfare-changes-name--96242>.
- 73 U.S. Embassy- Accra. Reporting. January 24, 2017.
- 74 Government of the Republic of Ghana, Ministry of Employment and Labour Relations. Pilot Report on Ghana Child Labor Monitoring System (GCLMS). Accra, July 2013. Source on file.
- 75 U.S. Embassy- Accra official. Email communication to USDOL official. May 16, 2018.
- 76 CIA. The World Factbook. Accessed January 19, 2018. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 77 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York. 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. http://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 78 EIN News. USAID Mission Director Reiterates Support for Fighting Trafficking in Persons. February 2, 2017. http://www.einnews.com/pr_news/364625201/usaaid-mission-director-reiterates-support-for-fighting-trafficking-in-persons.
- 79 Danso, Joyce. Two jailed 10 years for human trafficking. Ghana News Agency, January 12, 2017. <http://www.ghananewsagency.org/human-interest/two-jailed-10-years-over-for-human-trafficking-112215>.
- 80 Government of the Republic of Ghana. In the District Magistrate Court Held at Dam Bai in the Volta Region: The Republic vs. Mawuli Nyajor and Lydia Dotse (Court Case N. 01/07/2018). November 10, 2017. Source on file.
- 81 Taylor, Mildred Europa. 60-year-old ‘child trafficker’ arrested. July 6, 2017. <http://www.pulse.com.gh/news/volta-region-60-year-old-child-trafficker-arrested-id6952440.html>.
- 82 U.S. Embassy- Accra. Reporting. July 5, 2017.
- 83 Acheampong, Kwame. We didn’t abduct but rescued Asutsuani kids - Challenging Heights. STARR FM. March 20, 2018. <https://starrfmonline.com/2018/03/didnt-abduct-rescued-asutsuani-kids-challenging-heights/>.
- 84 U.S Embassy- Accra official. Email communication to USDOL official. May 17, 2019.
- 85 Ghana Crusader. Woman jailed for offer to buy boy, 14, for GHS100. Ghana Crusader. July 23, 2018. <https://www.ghanacrusader.com/woman-jailed-for-offering-to-buy-boy-14-for-ghs100/>.
- 86 U.S. Embassy- Accra official. Email communication to USDOL official. June 6, 2019.
- 87 Government of the Republic of Ghana. Ghana Child Labour Monitoring System (GCLMS). Accra: Ministry Of Employment And Social Welfare. September 2010. http://www.africanchildforum.org/clr/policy_per_country/ghana/ghana_labour_2010_en.pdf.
- 88 Government of the Republic of Ghana. Report on its Efforts to Eliminate Child Labour in 2017. March 2018. Source on file.
- 89 Government of the Republic of Ghana. Minutes of the Fourth Quarter Meeting of the National Steering Committee on Child Labour (NSCCL) on Friday 8th December, 2017 at the Conference Room of the Ministry of Employment and Labour Relations (MELR), Accra, December 8, 2017. Source on file.
- 90 Government of the Republic of Ghana, Ministry of Employment and Social Welfare. Institutional and Management Framework for the National Child Labour Elimination Programme: The National Steering Committee on Child Labour- Terms of Reference. Accra, 2010. Source on file.
- 91 Addo, Christabel. Ghana to review its child labour monitoring system. Ghana News Agency. September 4, 2016. <http://www.ghananewsagency.org/social/ghana-to-review-its-child-labour-monitoring-system-138129>.
- 92 Government of the Republic of Ghana. A Field Monitoring Mission in Seven (4) Child Labour Project Districts in Ghana. National Steering Committee on Child Labour. 2018. Source on file.
- 93 Government of the Republic of Ghana. National Plan of Action for the Elimination of Human Trafficking in Ghana (2017–2021). 2016. [https://www.unicef.org/ghana/Human_Trafficking_NPA_-_9.11.17\(2\).pdf](https://www.unicef.org/ghana/Human_Trafficking_NPA_-_9.11.17(2).pdf).
- 94 ILO Committee of Experts. Individual Direct Request Concerning Minimum Age Convention, 1973 (No. 138) Ghana (ratification: 2011). Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3242590.
- 95 Senator Thomas Harkin, Congressman Eliot Engel, USDOL, Government of the Republic of Côte d’Ivoire, Government of the Republic of Ghana, and International Cocoa and Chocolate Industry. Framework of Action to Support Implementation of the Harkin-Engel Protocol. Abidjan, September 13, 2010. <https://www.dol.gov/ilab/projects/summaries/CocoaFrameworkAction.pdf>.
- 96 Senator Thomas Harkin, Congressman Eliot Engel, USDOL, Government of the Republic of Côte d’Ivoire, Government of the Republic of Ghana, and International Cocoa and Chocolate Industry. Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol. Abidjan, September 13, 2010. <http://www.dol.gov/ilab/projects/summaries/GhanaSignedDeclaration.pdf>.
- 97 Congressman Eliot Engel, USDOL, Government of the Republic of Côte d’Ivoire, Government of the Republic of Ghana, and the International Chocolate and Cocoa Industry. Child Labor Cocoa Coordinating Group (CLCCG) 2017 Annual Report. Washington, DC. 2017. <https://www.dol.gov/sites/default/files/documents/ilab/CLCCG2017AnnualReport.pdf>.
- 98 Government of the Republic of Ghana, and Government of the Republic of Côte d’Ivoire. Joint Declaration of the First Ladies of the Republic of Côte d’Ivoire and the Republic of Ghana on the Fight Against Cross-Border Child Trafficking and the Worst Forms of Child Labour. Enacted: September 13, 2016. Source on file.
- 99 Government of the Republic of Ghana, and Government of the Republic of Côte d’Ivoire. Cooperation Agreement to Combat Cross-Border Child Trafficking and the Worst Forms of Child Labour. Enacted: November 3, 2016. Source on file.
- 100 The Herald. Lordina and Dominique Quattara Commit to Fight Against Child Labour. Ghana, September 16, 2016. Source on file.

- 101 Ghana News Agency. Four West African countries meet to fix cross-border crimes. Ghana News Agency. May 21, 2018. <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Four-West-African-countries-meet-to-fix-cross-border-crimes-653458>.
- 102 Government of the Republic of Ghana. Minerals and Mining Policy of Ghana. Enacted: February 2016. <https://www.extractiveshub.org/servefile/getFile/id/798>.
- 103 Ministry of Fisheries and Aquaculture Development. Strategy on Anti-Child Labor and Trafficking in Fisheries. November 2016. Source on file.
- 104 Ministry of Employment and Labour Relations. National Employment Policy. Accra, November 2014. <http://www.melr.gov.gh/wp-content/uploads/2015/12/National-Employment-Policy-2015.pdf>.
- 105 USDOL official. Communication to USDOL official. June 5, 2019.
- 106 Government of the Republic of Ghana, Ministry of Education. Education Strategic Plan: 2003-2015. Accra, May 2003. http://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/ghana_education_strategic_plan.pdf.
- 107 NORC at the University of Chicago. Assessing Progress in Reducing Child Labor in Cocoa-Growing Areas of Côte d'Ivoire and Ghana. Washington, DC: USDOL, 2015: Project Document. http://www.dol.gov/ilab/projects/summaries/WestAfr_CocoaResearch.pdf.
- 108 Winrock International. Mobilizing Community Action and Promoting Opportunities for Youth in Ghana's Cocoa-Growing Communities (MOCA). Washington, DC, 2015: Project Document. http://www.dol.gov/ilab/projects/summaries/Ghana_MOCA.pdf.
- 109 ILO-IPEC. Global Action Program on Child Labor Issues (GAP). Geneva, October 2011: Project Summary. http://www.dol.gov/ilab/projects/summaries/GAP_FY11.pdf.
- 110 BanToxics. CARING Gold Mining Project: Convening Stakeholders to Develop and Implement Strategies to Reduce Child Labor and Improve Working Conditions in Artisanal and Small-Scale Gold Mining (ASGM). Washington, DC, 2015: Project Summary. https://www.dol.gov/ilab/projects/summaries/GlobalGoldMining_FY15.pdf.
- 111 Ghana News Agency. Ghana Signs Child Protection Compact with America. Accessed June 30, 2015. <http://www.ghanaweb.com/GhanaHomePage/NewsArchive/Government-releases-GHC130m-for-school-feeding-696183#>.
- 112 USAID. Sustainable Fisheries Management Project (SFMP). AID-641-A-15-00001. Washington, DC, October 2014. http://www.crc.uri.edu/download/GH14_SMFPbrief_final.pdf.
- 113 Okertchiri, Jamila Akweley. USAID Improves Child Literacy. ModernGhana.com, June 18, 2015. <https://www.modernghana.com/news/624290/1/usa-id-improves-child-literacy.html>.
- 114 Ghana Web. DFID and USAID team up to support Ghana. June 11, 2015. <http://www.ghanaweb.com/GhanaHomePage/economy/artikel.php?ID=361876#>.
- 115 Ackon-Mensah, Joseph. US threatens to cut aid to Ghana over child labour menace. citifmonline, June 15, 2017. <http://citifmonline.com/2017/06/15/us-threatens-to-cut-aid-to-ghana-over-child-labour-menace/>.
- 116 de Groot, Richard. Ghana LEAP 1000 Impact Evaluation: Overview of Study Design. UNICEF, January 2016. <https://www.unicef-irc.org/publications/851-ghana-leap-1000-impact-evaluation-overview-of-study-design.html>.
- 117 World Cocoa Foundation. Global Chocolate and Cocoa Companies Announce Unprecedented Sustainability Strategy in Ghana. Washington, DC, Press Release. May 22, 2014. <http://www.worldcocoafoundation.org/wp-content/uploads/FINAL-Press-Release-for-Ghana-CocoaAction-05222014.pdf>.
- 118 Nestlé Cocoa Plan. Tackling Child Labour: 2017 Report. 2018. <https://www.nestle.com/asset-library/documents/creating-shared-value/responsible-sourcing/nestle-cocoa-plan-child-labour-2017-report.pdf>.
- 119 Osei-Appiah, Ohenewaa. Ghana marks World Day Against Trafficking in Persons. July 14, 2017. <http://www.graphic.com.gh/news/general-news/ghana-marks-world-day-against-trafficking-in-persons.html>.
- 120 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labor Convention, (No. 182) Ghana (ratification: 2000). Publication: 2016. http://www.ilo.org/dyn/normlex/en/f?p=I1000:13100:0::NO:13100:P13100_COMMENT_ID:3247758.
- 121 ILO Social Protection Department. Rationalizing social protection expenditure in Ghana. Geneva: International Labour Office, 2015. <http://www.social-protection.org/gimi/gess/RessourcePDF.action?ressource.ressourceId=50738>.
- 122 Hamel, Reid. A Role for Social Protection Investments to Support Food and Nutrition Security: Lessons from Ghana. February 2018. https://csis-prod.s3.amazonaws.com/s3fs-public/publication/180202_Hamel_SocialProtectionGhana_Vweb_0.pdf?AV58xvgtLttDDMldG0HsKrOHwsbySCgU_.
- 123 The Herald. COCOBOD's Massive Interventions to Farmers Revealed. Ghana, October 10, 2016. Source on file.
- 124 Ghana Cocoa Board. Our Corporate Social Responsibility. 2016. https://cocobod.gh/social_responsibility.php.
- 125 UN Human Rights Council. National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21 - Ghana. A/HRC/WG.6/28/GHA/1. August 25, 2017. <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WG.6/28/GHA/1&Lang=E>.
- 126 Ministry of Education. Medium Term Expenditure Framework (MTEF) for 2016-2018: Programme Based Budget Estimates for 2016. Accra, February 1, 2016. <https://www.mofep.gov.gh/sites/default/files/pbb-estimates/2016/2016-PBB-13-MoPw.pdf>.
- 127 U.S. Embassy- Accra official. Email communication to USDOL official. February 17, 2017.
- 128 Ghana Web. Government releases GHC130m for school feeding. October 29, 2018. <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Government-releases-GHC130m-for-school-feeding-696183#>.
- 129 Government of the Republic of Ghana. Cost Benefit Analysis of School Feeding Will Enhance Its Value - Hon. Gifty-Twum Ampofo. Ministry of Gender, Children and Social Protection. October 29, 2018. <http://mogcsp.gov.gh/index.php/cost-benefit-analysis-of-school-feeding-will-enhance-its-value-hon-gifty-twum-ampofo/>.
- 130 Ghana News Agency. New Automated Birth Registration System Launched. Ghana, May 7, 2016. <http://citifmonline.com/2016/05/07/new-automated-birth-registration-system-launched/>.
- 131 Osei-Appiah, Elsie. Birth and Death Registry launches mobile registration system. Ghana News Agency, May 6, 2016 <http://www.ghananewsagency.org/social/birth-and-death-registry-launches-mobile-registration-system-103507..>
- 132 UNICEF Ghana Country official. Email communication to USDOL official. July 1, 2019.
- 133 IOM. IOM Ghana Holds Counter-Trafficking Workshops for Communities in Volta Region. November 10, 2017. <http://www.iom.int/news/iom-ghana-holds-counter-trafficking-workshops-communities-volta-region>.
- 134 Safo, Juliet Akyaa and Daniel Oduro-Mensah. Accra Diocese of Anglican Church organises workshop on child trafficking. July 24, 2017. <http://www.graphic.com.gh/news/general-news/accra-diocese-of-anglican-church-organises-workshop-on-child-trafficking.html>.
- 135 U.S. Embassy- Accra. Reporting. August 22, 2017.
- 136 Ghana Web. 'Child Protection Shelter' to fight against child trafficking - Otiko Djaba. July 30, 2018. <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Child-Protection-Shelter-to-fight-against-child-trafficking-Otiko-Djaba-672892>.

In 2018, Grenada made no advancement in efforts to prevent the worst forms of child labor. Although research found no evidence that child labor exists in Grenada, no study of child labor has been done to confirm this. The government's ability to prevent children from becoming engaged in the worst forms of child labor is limited because existing laws do not comprehensively prohibit child trafficking and the commercial sexual exploitation of children. In addition, there are insufficient prohibitions against children's involvement in hazardous work and illicit activities, including the production and trafficking of drugs.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Grenada.(1) According to the Education Act, public education is free and all children are required to attend school until age 16.(2) However, in practice, some school boards deny access to pregnant girls and adolescent mothers. (3) According to the most recently available data, the primary completion rate for Grenada was 106.0 percent in 2017.(4)

Data on key indicators on children's work and education are not available from the sources used in this report.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Grenada has ratified all key international conventions concerning child labor (Table 1).

Table 1. 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 2). However, gaps exist in Grenada's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 32 of the Employment Act (5)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 25 of the Employment Act; Article 4 of the Constitution; Articles 9–11 of the Prevention of Trafficking in Persons Act (5-7)
Prohibition of Child Trafficking	No		Articles 9–11 of the Prevention of Trafficking in Persons Act (7)

NO ADVANCEMENT

Table 2. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 137 and 188 of the Criminal Code; Article 12 of the Electronic Crimes Bill; Article 10 of the Prevention of Trafficking in Persons Act (7-9)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Articles 2 and 15 of the Education Act (2)
Free Public Education	Yes		Articles 15 and 16 of the Education Act (2)

† No standing military (10)

Grenada's minimum age for work does not meet international standards because Article 32 of the Employment Act allows holiday employment for children under age 16 without specifying the minimum age, types of work, or number of hours permitted for such work. The Prevention of Trafficking in Persons Act does not sufficiently prohibit the trafficking of children, despite establishing heightened penalties for traffickers of children, because it requires the use of force, threats, abuse of power, or other forms of coercion to classify an act as human trafficking. (7) The Criminal Code, Electronic Crimes Bill, and Prevention of Trafficking in Persons Act do not comprehensively prohibit the commercial sexual exploitation of all children. (7-9)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 3). However, gaps exist within the authority of the Ministry of Labor that may hinder adequate enforcement of their child labor laws.

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor	Enforces laws related to child labor through its Labor Commission, which generates a list of workplaces to inspect and employs labor officers who make unannounced visits to all on the list. (1)
Royal Grenada Police Force	Investigates crimes and enforces laws related to child labor. Helps the Child Protection Agency and the Ministry of Social Development and Housing provide emergency services to children. (1)
Ministry of Legal Affairs	Prosecutes criminal cases of child abuse in consultation with the Child Protection Agency. (1)
Child Protection Agency	Enforces laws related to child labor by receiving and investigating reports of child abuse. Provides social and protective services to abused children, including by requesting court emergency protection orders. (12-15)
Ministry of Social Development and Housing	Oversees the Child Abuse Hotline and investigates reports of child abuse. Refers child abuse cases to the Child Protection Agency and criminal cases to the police. (14, 15) Enforces laws related to school attendance and provides programs to support school attendance. (15-16)
Ministry of Education	Enforces laws related to school attendance through employment of truancy officers. Combats student absenteeism by monitoring students' attendance and facilitating students' access to school transportation and meals. (11, 16, 17)

Labor Law Enforcement

In 2018, research did not find information on whether labor law enforcement agencies in Grenada took actions to combat child labor (Table 4). In addition gaps exist within the authority of the Ministry of Labor that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 4. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$187,266 (13)	Unknown (1)
Number of Labor Inspectors	6 (13)	6 (1)
Inspectorate Authorized to Assess Penalties	No (13)	No (1)
Initial Training for New Labor Inspectors	N/A (13)	N/A (1)
Training on New Laws Related to Child Labor	N/A (13)	N/A (1)
Refresher Courses Provided	Yes (13)	Unknown (1)
Number of Labor Inspections Conducted	Unknown (13)	Unknown (1)
Number Conducted at Worksite	Unknown(13)	Unknown (1)
Number of Child Labor Violations Found	0 (13)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (13)	N/A (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (13)	N/A (1)
Routine Inspections Conducted	Yes(13)	Unknown (1)
Routine Inspections Targeted	Yes (13)	Unknown (1)
Unannounced Inspections Permitted	Yes (13)	Yes (1)
Unannounced Inspections Conducted	Yes (13)	Unknown (1)
Complaint Mechanism Exists	Yes (13)	No (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (1)

The government employs six inspectors, two of whom have responsibility for inspections on child labor as part of their portfolios. (1) If inspectors find a violation, they must inform the Royal Grenadian Police Force (RGPF), which then conducts a criminal investigation. If the RGPF finds sufficient evidence of a violation, the RGPF may submit findings for possible prosecution by the public prosecutor's office. (1) The Labor Commission determines which inspections to conduct by generating a list of workplaces to inspect. Labor officers then make unannounced visits to all on the list. It is unclear how many child labor inspections, if any, were conducted. (1) The government has not created or implemented a specific mechanism for filing and responding to complaints about child labor. The government is also significantly underfunded and labor inspection and enforcement are not given funding priority. (1)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Grenada took actions to combat child labor. Gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 5. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	No (13)	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (13)	Unknown (1)
Refresher Courses Provided	No (13)	Unknown (1)
Number of Investigations	0 (13)	Unknown (1)
Number of Violations Found	0 (13)	Unknown (1)
Number of Prosecutions Initiated	N/A (13)	Unknown (1)
Number of Convictions	N/A (13)	Unknown (1)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	N/A (13)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (1)

The government does not publicly release information on its criminal law enforcement efforts.

NO ADVANCEMENT

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor. However, the government refers adolescent mothers and girls who leave school due to pregnancy to the Program for Adolescent Mothers rather than reintegrating them into the mainstream educational system. (15,18)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor. However, research found no evidence of current research on the worst forms of child labor in Grenada. (1)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in Grenada (Table 6).

Table 6. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish the minimum age for hazardous work at age 18 and identify hazardous occupations and activities prohibited for children.	2009 – 2018
	Prohibit the use of children in illicit activities, including drug production.	2011 – 2018
	Establish minimum age requirements of at least age 13 for holiday employment and define the activities, conditions, and number of hours permissible for such work.	2014 – 2018
	Ensure that the law establishes sanctions for all perpetrators of child trafficking, including in cases that do not show force, threats, or coercion.	2015 – 2018
	Enact legislation prohibiting the use, procuring, or offering of a child for all forms of commercial sexual exploitation.	2016 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
Enforcement	Provide sufficient funding and resources to allow agencies responsible for the enforcement of labor laws to fulfill their mission.	2015 – 2018
	Publish labor and criminal law enforcement data, including: information on the number and type of labor inspections; information on criminal inspectors' training; and the number of investigations, violations found, prosecutions initiated, and convictions in criminal law enforcement of the worst forms of child labor.	2016 – 2018
	Authorize the labor inspectorate to assess penalties.	2015 – 2018
	Ensure that labor inspectors and criminal investigators receive training related to the worst forms of child labor.	2015 – 2018
	Publish data on labor inspectorate funding.	2018
	Ensure that labor inspectors conduct labor inspections.	2018
	Create and implement a complaint mechanism specifically for filing and responding to complaints on child labor.	2018
Government Policies	Adopt and implement a policy to address the reintegration of pregnant girls and adolescent mothers in mainstream education.	2016 – 2018
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2009 – 2018

REFERENCES

- 1 U.S. Embassy- Bridgetown. Reporting. January 15, 2019.
- 2 Government of Grenada. Education Act, No. 21 of 2002. Enacted: 2002. <http://laws.gov.gd/>.
- 3 U.S. Embassy- Grenada official. Email communication to USDOL official. April 12, 2017.
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2018. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 5 Government of Grenada. Employment Act, Act No. 14 of 1999. Enacted: 1999. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/53925/65176/E99GRD01.htm>.
- 6 Government of Grenada. Constitution, No. 2155 of 1973. Enacted: 1973. <http://pdba.georgetown.edu/constitutions/grenada/gren73eng.html>.
- 7 Government of Grenada. Prevention of Trafficking in Persons Act. Enacted: June 11, 2014. Source on file.
- 8 Government of Grenada. Electronic Crimes Bill. Enacted: October 3, 2013. <http://www.easterncaribbeanlaw.com/electronic-crimes-act-2013/>.
- 9 Government of Grenada. Criminal Code. Enacted: January 20, 1987. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/95182/111978/F2077022491/GRD95182.PDF>.
- 10 U.S. Department of State. Human Rights Report Grenada. 2018. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/grenada/>.
- 11 ILO Committee of Experts. Individual direct request concerning Minimum Age Convention, 1973 (No. 138) Grenada (ratification: 2003) Published: 2014. accessed December 4, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3141593:YES.
- 12 Government of Grenada. —. Grenada Child Protection Agency launches first National Child Protocol in the Region. Online. November 1, 2013. Cited March 24, 2016. http://www.gov.gd/egov/news/2013/nov13/01_11_13/item_1/grenada_child_protection_agency_launches_ncp_region.html.
- 13 U.S. Embassy- Grenada. Reporting. January 18, 2017.
- 14 UNICEF. Situation Analysis of Children in Grenada. September 2017. https://www.unicef.org/easterncaribbean/ECA_GRENADA_SitAn_Web.pdf.
- 15 Government of Grenada. Ministry of Social Development. April 26, 2018. https://www.gov.gd/ministries/social_development.html.
- 16 U.S. Embassy- Grenada. Reporting. January 15, 2015.
- 17 U.S. Embassy- Grenada official. Email communication to USDOL official. June 12, 2017.
- 18 U.S. Embassy- Grenada official. Email communication to USDOL official. May 3, 2016.

SIGNIFICANT ADVANCEMENT

In 2018, Guatemala made a significant advancement in efforts to eliminate the worst forms of child labor, and The Public Ministry created a new regional Anti-Trafficking Unit in Quetzaltenango to improve and expedite the prosecution of trafficking cases. The government also published a functioning guide for the Departmental Committees for the Prevention and Eradication of Child Labor and launched 21 committees. In addition, the government reactivated its National Working Group for the Prevention and Protection of Children and Adolescents against Sexual Exploitation in Activities Related to Travel and Tourism and conducted a population and housing survey with updated data on child labor that will be published in 2019. However, children in Guatemala are engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. The lack of a sufficient number of labor inspectors and resources limited the Ministry of Labor and Social Security's (MTPS) ability to combat the worst forms of child labor. In addition, existing social programs are insufficient to reach all children engaged in exploitative labor and, in particular, do not target children engaged in domestic work or agriculture.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guatemala are engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1-5) The Guatemalan Government's National Statistics Institute collected data for a population and housing census in 2018 that includes up-to-date statistics on child labor, but the census will not be published until 2019. (1) Table 1 provides key indicators on children's work and education in Guatemala.

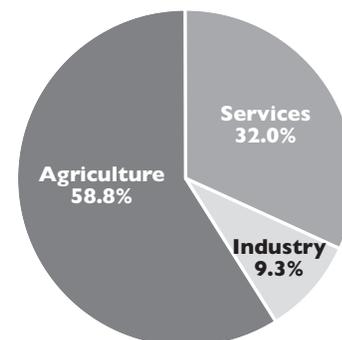
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	7 to 14	6.3 (193,917)
Attending School (%)	7 to 14	89.9
Combining Work and School (%)	7 to 14	3.5
Primary Completion Rate (%)		79.9

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Nacional de Empleo e Ingreso I, 2016. (7)

Figure 1. Working Children by Sector, Ages 7-14



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	Picking macadamia nuts and tea leaves (8)
	Planting and harvesting coffee, sugarcane, corn, broccoli, bananas, plantains, and flowers (1,8-13,14)
	Harvesting palm kernels and producing palm oil (11,15,16)
	Ranching (1)

Guatemala

SIGNIFICANT ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Mining,† including silver mining† (2,17,18)
	Construction, including as bricklayers and mason helpers (1,19,20)
	Production of garments, activities unknown (2,18)
	Manufacturing gravel (crushed stones)† and fireworks† (1,12,18,21,22)
Services	Domestic work and house-sitting† (4,11,12,23,24)
	Street work,† including vending,† performing,† cleaning windshields and windows,† begging, and shoe shining† (2,11,17-19,23,25,26)
	Making corn tortillas (12,27-29)
	Working as store clerks in small family-owned corner stores (<i>abarroterías</i>) (11-13,29)
	Garbage scavenging† and working in garbage dumps† (4,19)
	Working as servers in restaurants (<i>comedores</i>) (11)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, production of garments, domestic work, street begging, making corn tortillas, and vending (1,26,27,29-31)
	Use in the production of pornography (1,2,5,18)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,11,26,27,31)
	Use in illicit activities, including drug trafficking, and stealing and transporting contraband as a result of criminal and gang recruitment (4,18,23,26,27,29)

† 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.

Indigenous children account for more than half of child laborers in Guatemala, and children in rural areas are more likely to work than children in urban areas. (32,33) In agriculture, working conditions for children involve using machetes and other dangerous tools. (18) Children as young as age 5 work in coffee fields picking coffee beans and mixing and applying pesticides. (34,35)

Children, both Guatemalan-born and from other countries, are engaged in commercial sexual exploitation, including in sex tourism. (31) Girls, LGBTI persons, and indigenous Guatemalans are particularly vulnerable to trafficking. (31) Traffickers are increasingly using social media to recruit children. (30) Multiple sources indicate that children are recruited into gangs to serve as lookouts, couriers, and drug dealers. (1)

Significant barriers to accessing education exist in Guatemala, particularly for girls, indigenous children, and children in rural areas. (1,18) Education is free in Guatemala, although only through grade 6 and there is an insufficient number of primary and secondary schools. (36) A lack of teachers, schools, transportation, and sanitary facilities at public schools, as well as fees charged at private schools, all create barriers to education. (1)

Reports conclude that there is a high degree of illiteracy among girls. (5,37,38) Due to the heightened security risks for girls traveling alone, girls in rural areas have lower enrollment rates in secondary school than boys. (27) Indigenous children in general have lower enrollment rates compared to other children. (5) There are not enough qualified teachers to provide instruction in the predominant native languages and classroom materials available in these languages are insufficient. (18,38,39) Furthermore, the education system is also unable to address the needs of students with disabilities. (1,27)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Guatemala 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 Guatemala's legal framework to adequately protect children from the worst forms of child labor, including provisions for light work for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Articles 31 and 148 of the Labor Code; Government Accord 112-2006 (40,41)
Minimum Age for Hazardous Work	Yes	18	Article 148 of the Labor Code; Article 1 of Government Accord 250-2006 (40,42)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 4 of Ministerial Accord 154-2008 (43)
Prohibition of Forced Labor	Yes		Article 202 of the Penal Code; Article 51 of the Law of Integral Protection of Children and Adolescents; Decree 10-2015 (44-46)
Prohibition of Child Trafficking	Yes		Article 202 <i>bis</i> and <i>quater</i> of the Penal Code, as amended by Articles 47–48 of the Law against Sexual Violence, Exploitation, and Trafficking in Persons, No. 9-2009; Article 108 of the Migration Law (44,47,48)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 36–42 of the Law against Sexual Violence, Exploitation, and Trafficking in Persons, No. 9-2009 (47)
Prohibition of Using Children in Illicit Activities	Yes		Article 27 of the Penal Code (44)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 57 of the Law of Integral Protection of Children and Adolescents (45)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 68–69 of the Constitutive Law of the Guatemalan Army (49)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 245 of the Constitution; Article 57 of the Law of Integral Protection of Children and Adolescents; (45,50,51)
Compulsory Education Age	Yes	15‡	Article 74 of the Constitution; Article 33 of the National Education Law; Ministerial Agreement 1055-2009 (50,52,53)
Free Public Education	Yes		Article 74 of the Constitution; Article 1 of Government Agreement 226-2008 (50,54)

‡ Age calculated based on available information (2,50,55,56)

Although Articles 32 and 150 of the Labor Code allow MTPS to authorize children under age 14 to work under exceptional circumstances—including if MTPS determines that children must work to support their family due to poverty—the law does not define the total number of hours, kinds of tasks, or age range applicable for this exception, which is inconsistent with international standards on light work. (40) MTPS indicated that no such exceptions have been granted since 2016. (1,57)

Guatemala

SIGNIFICANT ADVANCEMENT

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 MTPS 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 Social Security's (MTPS) Inspection Division	Enforces child labor laws, including prohibitions on the worst forms of child labor, by inspecting businesses and responding to child labor complaints. (2) Refers children found in child labor to government social services and complaints to the MTPS Adolescent Workers Protection Unit. (58-60) Refers cases of worst forms of child labor to the Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) and unresolved cases to labor courts for review and sanctions, as appropriate. (2)
National Civil Police	Investigates cases of child trafficking through the Trafficking in Persons and Forced Labor Unit located within the Special Investigation Police, and operates a hotline to receive reports of suspected child trafficking cases. (17,61)
Public Ministry, Special Prosecutor's Office	Receives case referrals involving the worst forms of child labor from labor inspectors. Investigates cases of human trafficking and forced labor through the Special Prosecutor's Office Against Human Trafficking. (2)
Solicitor General's Office	Receives complaints regarding the exploitation of children. Initiates legal proceedings and ensures the legal representation of children whose rights have been violated. (61)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Guatemala took actions to combat child labor (Table 6). However, gaps exist within the operations of MTPS that may hinder adequate labor law enforcement, including financial resource allocation and inspection planning.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$803,588 (27)	\$601,687 (1,62)
Number of Labor Inspectors	219 (63)	234 (62,64)
Inspectorate Authorized to Assess Penalties	Yes (27)	Yes (1)
Initial Training for New Labor Inspectors	Yes (27)	N/A (1)
Training on New Laws Related to Child Labor	Yes (27)	Yes (1)
Refresher Courses Provided	Yes (65)	Yes (1)
Number of Labor Inspections Conducted	25,614 (1)	34,035 (1)
Number Conducted at Worksite	16,656 (66)	17,851 (1)
Number of Child Labor Violations Found	108 (67)	10 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	103 (27)	10 (1)
Number of Child Labor Penalties Imposed that Were Collected	0 (27)	Unknown
Routine Inspections Conducted	Yes (27)	Yes (1)
Routine Inspections Targeted	Yes (27)	Yes (62)
Unannounced Inspections Permitted	Yes (27)	Yes (1)
Unannounced Inspections Conducted	Yes (27)	Yes (1)
Complaint Mechanism Exists	Yes (27)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (27)	Yes (1)

In 2018, MTPS' Ministerial Accord 285-2017 entered into effect. The accord contains instructions for the imposition of administrative sanctions for labor violations by the General Labor Inspectorate. (64,68) The accord supports implementation of Decree 7-2017, which re-established the Ministry of Labor's authority to impose sanctions for labor law violations, including child labor violations. (1,69) Guatemala's Law of the National System of Protection for Children and Adolescents, which aims to overhaul the country's child protection system, received a second reading during the reporting period but requires several more procedural steps before possible approval. (1)

MTPS published on its website 2018 labor inspectorate data that included plans for localized and regional inspections specific to the worst forms of child labor. (1) However, the number of labor inspectors is likely insufficient for the size of Guatemala’s workforce, which includes more than 4.6 million workers. According to the ILO’s technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing countries, Guatemala would employ about 308 labor inspectors. (70,71) In addition, the ratio of inspectors to number of inspections conducted suggests that each inspector carried out approximately 163 inspections during the year, which may be high and impact the quality of inspections conducted. (1)

Although labor inspectors may conduct unannounced inspections, reports indicate that the timing of some inspections has become predictable, taking place when employers are required to pay quarterly bonuses. (17,18) Announced inspections, or inspections that occur at a predictable time, are more likely to allow time for employers to temporarily hide or remove children who may be engaged in child labor. In addition, although laws governing the minimum age for work and hazardous work apply in both the formal and informal sectors, labor inspectors rarely inspect informal workplaces where child labor violations are most likely to occur. (1,2,27)

Some reports question the quality of inspections for child labor violations, particularly the scope and coverage across industries. (17,18) Civil society organizations state that, during worksite inspections, labor inspectors often meet only with business owners or supervisors and bypass conducting worker interviews. (8,72) Inspectors conducted 1,406 child-labor specific inspections in 2018, but civil society organizations also report that labor inspectors are not appropriately trained to perform inspections for child labor. (1,11,13)

Although the government has created a mechanism for filing complaints regarding child labor, reports state that the mechanism is not efficient in responding to those complaints. (1,27)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Guatemala took actions to combat child labor (Table 7). However, gaps exist within the operations of the National Civil Police 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	Yes (27,65)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (1)
Refresher Courses Provided	Yes (27,65)	Yes (1,64)
Number of Investigations	Unknown	112 (1)
Number of Violations Found	140 (27)	44 (62)
Number of Prosecutions Initiated	4 (27)	55 (1)
Number of Convictions	Unknown	12 (1)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (31)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (27)	Yes (1)

In 2018, the labor exploitation unit in the Attorney General’s Office conducted 41 investigations, with 95 percent related to child labor crimes. Details about the cases were not available. (1) The Attorney General’s Office prosecuted 50 individual defendants in cases related to the use of children for commercial sexual exploitation, including prostitution, pornographic performances, and pornography. Twelve individuals were convicted for child labor crimes, including crimes related to the worst forms of child labor. (1) Despite the convictions, Guatemala’s Penal Code allows for the commutation of sentences of less than 5 years, and all individuals who were sentenced to fewer than 5 years were released from detention after paying a fine. (1)) In addition, although the government established specialized courts—including a 24-hour court in Guatemala City—to hear cases of human trafficking of adults and children and gender-based violence, judges are often unable to schedule hearings and trials in a timely manner. (72)

Guatemala

SIGNIFICANT ADVANCEMENT

During the reporting period, the Solicitor General’s Office reported two cases of forced child labor and two cases of forced child begging, but details about these cases were not available. The Ministry of Labor reports that in 2018, 102 child and adolescent victims were removed from situations of exploitation and referred to social services. (1) The Attorney General’s Office indicated that criminal investigators received training on child labor issues and on current laws, and regional staff in Quetzaltenango received training on trafficking in persons. USAID also noted that child labor trainings and trainings on new laws were held in several municipalities along border regions where child exploitation is common. (1) However, local NGO reports indicate that training is insufficient outside the capital. (1,27) The Public Ministry has noted a need for training on the recruitment of children by criminal groups. (65) Law enforcement agencies also lack sufficient vehicles, fuel, and criminal investigators, particularly outside Guatemala City. (18,73) The Public Ministry created a new regional Anti-Trafficking Unit in Quetzaltenango as part of efforts to improve and expedite the prosecution of trafficking cases. (31) However, the Ministry of Labor noted that resources are still insufficient to carry out complex criminal investigations. (1)

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 may hinder the effective coordination of efforts to address child labor, including coordination between agencies and civil society.

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

Coordinating Body	Role & Description
National Commission for the Eradication of Child Labor (CONAPETI)	Coordinates government policies and efforts to combat child labor. (2) Led by the Vice President’s office and composed of several government ministries, as well as representatives from industry associations and trade unions. (26) Held four regular sessions during the reporting period, including one session in which it approved the Departmental Committees for the Prevention and Eradication of Child Labor (CODEPETI)’s Functional Guide, which sets the criteria for how departmental committees should function and how child labor cases specifically should be handled. (1,73,74)
CODEPETI	Coordinate government efforts to combat child labor at the departmental or regional level. Composed of department-level representatives of CONAPETI member agencies as well as NGO and business representatives. (2,17) In 2018, the government provided training to institutions that are part of CONAPETI and CODEPETIs, and socialized the 21 CODEPETIs on principles outlined in Guatemala’s Roadmap for the Prevention and Elimination of the Worst Forms of Child Labor. (1)
Intra-Institutional Coordination Protocol to Assist Minor Working Persons	Sets guidelines for MTPS inspectors to identify child laborers, remove children from the worst forms of child labor, and coordinate services for such children with other government agencies. (43,62) Research was unable to identify specific implementing activities carried out under the protocol during the reporting period.
SVET	Coordinates all government efforts against human trafficking, including for commercial sexual exploitation of children and forced child labor, by responding to cases and providing support for victims. Operates shelters to serve minor victims of trafficking and a hotline to file child sex tourism complaints. Led by the Vice President’s Office. (61) In 2018, transferred management of its three shelters for victims of trafficking in persons, sexual violence, and exploitation to the Secretariat of Social Welfare to improve the quality of specialized assistance for victims. In 2018, SVET also reactivated its National Working Group for the Prevention and Protection of Children and Adolescents against Sexual Exploitation in Activities Related to Travel and Tourism (MENACESNNA). (31) In addition, SVET published a protocol for providing specialized attention to children in trafficking in persons shelters and distributed the protocol to public and private shelters nationwide. (31)
CIT	Develops and manages initiatives to combat human trafficking. Relaunched by SVET in 2016, co-chaired by the Ministry of Foreign Affairs, and includes 28 government and civil society institutions. (61) In 2018, expanded its membership by eight government institutions and civil society organizations. (31)
MENACESNNA	Targets sexual exploitation of children and adolescents in the travel and tourism sector. (24) Oversees the Code of Conduct Against Sex Tourism, a mandatory code for trade group membership that forbids providing services to customers believed to be engaging in commercial sexual exploitation of children. Presided over by SVET and includes 10 government, private sector, and civil society institutions. (24) In 2018, MENACESNNA continued to implement its 2018–2022 strategic plan and developed an annual operation plan for 2019 that seeks to expand program efforts. MENACESNNA also conducted public awareness campaigns, such as trainings for the national taxi association, and targeted advertisements at Guatemala City movie theaters during popular children’s films. (31)

In 2018, the Office of the Vice President of the Republic issued resolution 01 2017 for enforcement of protocols pertaining to the operations of the Departmental Committees for the Prevention and Eradication of Child Labor and the Intra-Institutional Coordination Protocol to Assist Child Laborers. (1)

Despite improvements in interagency coordination to address trafficking, there continues to be a lack of effective coordination among other government institutions and civil society actors who provide services and protection to victims of child labor. (4,17,75)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that may hinder efforts to address child labor, including the implementation of several policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap for the Prevention and Elimination of the Worst Forms of Child Labor (2016–2020)	Aims to prevent and eradicate child labor by addressing poverty; guaranteeing rights to health for children and adolescents; guaranteeing access to education, especially for children in or at risk of child labor; coordinating and enforcing child labor laws; raising awareness regarding risks and consequences of child labor; and implementing a system to monitor and evaluate child labor. Led by CONAPETI and CODEPETIs. (21,75-78) The government launched its Public Policy for the Comprehensive Protection of Children and Adolescents in March 2018 as part of the Roadmap. The policy includes a section addressing child labor and designates CONAPETI as the entity in charge of the issue. (1) As part of the Roadmap, the government swore in 21 CODEPETIs and developed working plans for the committees. (1)
Protocol for Identifying and Assisting Child and Adolescent Victims of Commercial Sexual Exploitation	Establishes procedural guidelines for government agencies and NGOs responsible for the protection and care of child and adolescent victims of commercial sexual exploitation. Overseen by the Secretariat of Social Welfare and Departmental Social Welfare Offices and implemented by SVET. (2,79) Research did not reveal whether any actions were taken under this policy in 2018.
Inter-institutional Protocol for the Protection and Attention of Victims of Human Trafficking	Provides instruction on how to process sex crimes, including commercial sexual exploitation of children, and how to assist prospective victims of trafficking in persons. (24,43,80) In 2018, SVET carried out actions to strengthen the standards and operations of the three shelters for victims of human trafficking, including training for workers who are part of the multidisciplinary teams. (62)
Public Policy on Human Trafficking and the Comprehensive Protection of Victims (2014–2024)	Aims to guarantee protection for and comprehensive attention to human trafficking victims, and promote prevention, detection, prosecution, and sanction of this crime. (81) Includes a National Plan of Strategic Action that directs the government's actions on preventing and combating human trafficking. (17,31,82) In 2018, SVET developed a monitoring exercise of the Public Policy. (31) SVET also provided trainings to local institutions in Spanish and four Mayan languages, as well as developed and distributed informational materials related to the prevention of human trafficking. (62)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (19)

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 efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Business Network for the Prevention and Elimination of Child Labor in Guatemala (Red Empresarial)	Program that aims to promote prevention and eradication of child labor. Created in 2015, and members include the ministries of Education and Agriculture, MTPS, CONAPETI, ILO, UNICEF, the UN Food and Agriculture Organization, and representatives from the private sector. (19,83-86) The network held eight coordinating meetings in 2018. (87)
I Don't Allow Sexual Exploitation of Children in Tourism‡	SVET-administered national campaign against the commercial sexual exploitation of children in tourism. (3) SVET launched the campaigns "Be Careful with Grooming" to prevent online grooming of children and adolescents between ages 10 and 15 for sexual abuse and "Protecting Our Greatest Treasure" to create awareness of sexual exploitation of children in tourism and travel activities. (30,88) SVET reported that it updated the intra-institutional detection and action protocol for immediate response on cases of sexual exploitation against children and adolescents in travel and tourism in August 2018. (62)

Guatemala

SIGNIFICANT ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Human Trafficking Referral and Grant Funding†	Program that provides funding to NGOs to assist child victims of human trafficking for commercial sexual exploitation. (82) Research did not identify actions undertaken during the reporting period to carry out this program.
Committed to First (Comprometidos con Primero) Program (2017–2019)	Program that seeks to decrease school dropout rates and increase enrollment and advancement to the next grade at a national level. (27) Goals include generating conditions to achieve competency in reading and writing, providing teacher training, conducting diagnostic evaluations, and supplying educational materials and pedagogical support. (89,90) Aims to serve 35,000 first grade students. (90) Though approved in 2017, Guatemala began enacting the program in 2018. (1)
Ministerio de Desarrollo Social Poverty Reducing Programs‡	Conditional Cash Transfer for Education and Health Program (<i>Mi Bono Seguro</i>) provides cash assistance to families with school-age children, conditioned on children's school attendance. (27,60,91) Food Assistance Program (<i>Mi Bolsa Segura</i>) provides food assistance to poor families, with the requirement that their children attend school. (27,60,92) Young Protagonists (<i>Jóvenes Protagonistas</i>) provides at-risk adolescents with training and formative activities outside school hours. (27,91,93) My Secure Dining Hall (<i>Mi Comedor Seguro</i>) provides access to food to people in situations of poverty, crisis, and emergency, including children. (94) My First Employment (<i>Mi Primer Empleo</i>) places working-age youth in apprenticeship programs and grants them on-the-job training and a monthly stipend. (27,91) My Middle School Scholarship (<i>Mi Beca Educación Media</i>), for children between ages 11 and 24, and My College Scholarship (<i>Mi Beca Educación Superior</i>), for children between ages 16 and 28, promote access to school and college through cash assistance to children who are in situations of poverty and extreme poverty in rural and urban areas. (94) The government continued to fund the conditional cash transfer programs and increased funding in 2018 by 9.4 percent. (1)

† Program is funded by the Government of Guatemala.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (24,95-97)

Civil society organizations indicate that social programs are inadequately funded, are susceptible to local political influences, and fail to reach the rural interior of the country outside urban areas. (1) Although the government has implemented programs to assist children and families, research found no evidence of government programs specifically designed to assist children engaged in hazardous work, including those in agriculture and domestic service. (4)

Conditions in government-run children's shelters are not adequate, and the government has not ensured the protection and safety of children under its care. (37) In addition, the environment for the implementation of social programs that address child labor remains unsafe, and the government has done little to investigate or prevent further instances of threats, intimidation, and violence—such as the murders of individuals working on social programs, including NGO officials, human rights workers, judges, and labor activists. (98)

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 Guatemala (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Eliminate the exception allowing some children under age 14 to work, or establish a light work framework for children ages 12 to 14 outlining restrictions on working conditions, type of work, and number of hours of work.	2010 – 2018
	Criminally prohibit the recruitment of children under 18 into non-state armed groups.	2016 – 2018
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice and ensure the ratio of inspections conducted per inspector does not impact quality.	2015 – 2018
	Ensure that labor inspectors and criminal investigators have sufficient resources and staff to conduct inspections and investigations in all geographical areas of the country.	2009 – 2018
	Ensure that inspectors carry out inspections in the informal sector, an area in which child labor is known to occur.	2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Improve the quality of inspections by ensuring that inspectors receive adequate training, meet with all relevant parties, including workers, and dedicate the necessary time to carry out more comprehensive inspections, including in informal workplaces.	2017 – 2018
	Ensure that the timing of labor inspections is not predictable so that they can be truly unannounced as recommended by international standards.	2016 – 2018
	Dedicate more staff and train criminal law enforcement officials, particularly those outside the capital, on laws related to the worst forms of child labor.	2013 – 2018
	Make publicly available the total amount of child labor penalties collected, and the number of routine child labor inspections targeted, as well as the number of violations for the worst forms of child labor.	2018
	Ensure that hearings and trials addressing human trafficking and gender-based violence in specialized courts are scheduled in a timely manner.	2016 – 2018
	Improve adequacy of child labor complaint mechanism to ensure timely responses to complaints.	2018
Coordination	Strengthen coordination efforts to institutionalize relationships between civil society representatives and government agencies that provide services to victims of child labor.	2013 – 2018
Government Policies	Undertake activities to implement the Protocol for Identifying and Assisting Child and Adolescent Victims of Commercial Sexual Exploitation.	2017 – 2018
Social Programs	Conduct research on child labor activities in the production of garments and make the information public.	2018
	Make education accessible for all children, including girls and indigenous children, children with disabilities, and children living in rural areas, by recruiting and training more qualified teachers, providing instruction in indigenous languages, building additional schools, and removing school fees and transportation costs.	2015 – 2018
	Ensure that social programs are implemented, well-funded, able to carry out their objectives, and reach populations outside urban centers, and report on yearly activities.	2018
	Initiate social programs to address child labor in agriculture and domestic work, and for children who perform other types of hazardous work.	2009 – 2018
	Ensure high standards of safety and care for children in government-run shelters and expand shelter capacity to prevent overcrowding.	2016 – 2018
	Ensure the safety of NGO officials, human rights workers, judges, and labor activists to facilitate a secure environment for the implementation of social programs that address and prevent child labor.	2017 – 2018

REFERENCES

- U.S. Embassy- Guatemala City. Reporting. February 28, 2019.
- U.S. Embassy- Guatemala City. Reporting. January 20, 2016.
- U.S. Embassy- Guatemala City. Reporting. February 2, 2016.
- UN Human Rights Council. Information presented by the Guatemalan Human Rights Ombudsman's Office. Prepared by the Government of Guatemala, Universal Periodic Review - Midterm Report. Geneva, June 22, 2015. Source on file.
- UNICEF. Human trafficking for sexual exploitation purposes in Guatemala. 2016. http://www.cicig.org/uploads/documents/2016/Trata_Ing_978_9929_40_829_6.pdf.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received January 12, 2018. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- NGO official. Interview with USDOL official. April 4, 2018.
- Leiva, P Garcia de. Opciones productivas para el fin del trabajo infantil en Chilascó. November 12, 2015. Source on file.
- The Coca-Cola Company. Review on Child and Forced Labor and Land Rights in Guatemala's Sugar Industry. March 15, 2015. Source on file.
- NGO official. Interview with USDOL official. April 2, 2018.
- NGO official. Interview with USDOL official. April 3, 2018.
- UN Office of the High Commissioner for Human Rights official. Interview with USDOL official. April 6, 2018.
- U.S. Department of State. "Guatemala," in Country Reports on Human Rights Practices- 2015. Washington, DC. April 13, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=253017>.
- Verité. Labor and Human Rights Risk Analysis of the Guatemalan Palm Oil Sector. Amherst, March 31, 2014. <http://www.verite.org/sites/default/files/images/RiskAnalysisGuatemalanPalmOilSector.pdf>.
- Human Rights Ombudsman (PDH) official. Interview with USDOL official. April 4, 2018.
- U.S. Embassy- Guatemala City. Reporting. January 15, 2015.
- U.S. Embassy- Guatemala City. Reporting. February 7, 2017.
- Government of Guatemala. Annual Report on Child Labor. December 14, 2016. Source on file.
- U.S. Embassy- Guatemala City. USDOS Email Communication from USDOS to USDOL Official. March 5, 2015.
- Arias, Rodrigo. Al menos 790 mil menores trabajan en Guatemala. El Siglo, June 12, 2017. <http://s21.gt/2017/06/12/790-mil-menores-trabajan-en-guatemala/>.
- NGO official. Interview with USDOL official. April 2, 2018.
- U.S. Department of State. Trafficking in Persons Report- 2016: Guatemala. Washington, DC, June 30, 2016. <https://2009-2017.state.gov/j/tip/rls/tiprpt/2016/index.htm>.

Guatemala

SIGNIFICANT ADVANCEMENT

- 24 U.S. Embassy- Guatemala City. Reporting. February 7, 2017.
- 25 Sapalu, Lucero. Alto número de niños aún trabaja. Prensa Libre, March 17, 2015.
<http://www.prensalibre.com/guatemala/totonicapan/alto-numero-de-ninos-aun-trabaja>.
- 26 SVET official. Interview with USDOL official. April 3, 2018.
- 27 U.S. Embassy- Guatemala City. Reporting. January 18, 2018.
- 28 Agence France-Presse. Police rescue 22 children from forced labor in Guatemala. May 31, 2017. Source on file.
- 29 Special Prosecutor Against TIP official. Interview with USDOL official. April 3, 2018.
- 30 U.S. Embassy- Guatemala City. Reporting. February 16, 2018.
- 31 U.S. Embassy- Guatemala City Reporting. April 12, 2019.
- 32 Instituto Nacional de Estadística Guatemala. Encuesta Nacional de Empleo e Ingresos. May 2016.
<https://www.ine.gob.gt/sistema/uploads/2016/06/29/P8nxydeYs0lhaBHFraqPDsp5dCeJj5yY.pdf>.
- 33 Government of Guatemala. Annex I--ENEI Statistical Information on Child Labor 2015-2017. 2019. Source on file.
- 34 Danwatch. Bitter Coffee II. September 2016.
<https://www.danwatch.dk/wp-content/uploads/2016/09/Bitter-coffee-Guatemala-2016.pdf>.
- 35 Brown, Nick. Danwatch Casts Troubling Labor Allegations in Guatemala Coffee Report. Daily Coffee News, September 20, 2016.
<http://dailycoffeenews.com/2016/09/20/danwatch-casts-troubling-labor-allegations-in-guatemala-coffee-report/>.
- 36 Ministry of Education official. Interview with USDOL official. April 6, 2018.
- 37 Alianza Estrategica Mujeres CEDAW Guatemala. 8° y 9° Informe Alternativo. October 2017.
http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT/CEDAW/NGO/GTM/29172&Lang=en.
- 38 Government of Guatemala. Guatemala Annual Report. May 2017. Source on file.
- 39 U.S. Embassy- Guatemala City official. Email communication to USDOL official. March 9, 2015.
- 40 Government of Guatemala. Código de Trabajo de la República de Guatemala. Enacted: 1995.
<http://www.lexadin.nl/wlg/legis/nofr/oeur/arch/gua/ct.pdf>.
- 41 Government of Guatemala. Acuerdo Gubernativo No. 112-2006 (Protección Laboral de la Niñez y Adolescencia). Enacted: 2006.
[http://www.ilo.org/dyn/travail/docs/2098/Protección laboral de la niñez y adolescencia.pdf](http://www.ilo.org/dyn/travail/docs/2098/Protección%20laboral%20de%20la%20niñez%20y%20adolescencia.pdf).
- 42 Government of Guatemala. Acuerdo Gubernativo No. 250-2006. Enacted: May 18, 2006.
[http://www2.congreso.gob.pe/Sicr/Comisiones/2007/ComRevNinAdo.nsf/34069c3bb71c123b05256f470062fea7/04BDED74D31FD9F3052574640067D12D/\\$FILE/GuatemalaAcuerdoGubernativo250Convenio182.pdf](http://www2.congreso.gob.pe/Sicr/Comisiones/2007/ComRevNinAdo.nsf/34069c3bb71c123b05256f470062fea7/04BDED74D31FD9F3052574640067D12D/$FILE/GuatemalaAcuerdoGubernativo250Convenio182.pdf).
- 43 Government of Guatemala. Intrainstitutional Protocol, No. 154-2008. Enacted 2008. Source on file.
- 44 Government of Guatemala. Código Penal, Decreto No. 17-73. Enacted: 1973.
http://www.oas.org/JURIDICO/MLA/sp/gtm/sp_gtm-int-text-cp.pdf.
- 45 Government of Guatemala. Ley de Protección Integral de la Niñez y Adolescencia. Enacted: 2003. Source on file.
- 46 Government of Guatemala. Decreto Número 10-2015. Enacted: December 8, 2015.
<http://www.acnur.org/fileadmin/scripts/doc.php?file=fileadmin/Documentos/BDL/2016/10462>.
- 47 Government of Guatemala. Ley contra la Violencia Sexual, Explotación y Trata de Personas, No. 9-2009. Enacted: March 20, 2009. Source on file.
- 48 Government of Guatemala. Ley de Migración, Decreto No. 95-98. Enacted: November 26, 1998.
[https://www.oas.org/dil/Migrants/Guatemala/Decreto N° 95-98 -Ley de Migración de Guatemala.pdf](https://www.oas.org/dil/Migrants/Guatemala/Decreto%20N%2095-98-Ley%20de%20Migración%20de%20Guatemala.pdf).
- 49 Government of Guatemala. Ley Constitutiva del Ejército de Guatemala, Decreto No. 72-90. Enacted: 1990.
<https://archivos.juridicas.unam.mx/www/bjv/libros/5/2048/8.pdf>.
- 50 Government of Guatemala. Constitución Política reformada por Acuerdo Legislativo No. 18-93 del 17 de Noviembre de 1993. Enacted 1985, Reformed: November 17, 1993.
<http://pdba.georgetown.edu/Constitutions/Guate/guate93.html>.
- 51 Government of Guatemala. Ley Contra la Violencia Sexual, Explotación y Trata de Personas Decreto 9-2009.
http://www.sipi.siteal.iipe.unesco.org/sites/default/files/sipi_normativa/ley-contra-la-violencia-sexual-explotacion-y-trata-de-personas_-_decreto_9-2009_guatemala.pdf.
- 52 Government of Guatemala. Decreto Legislativo No. 12-9, Ley de Educación Nacional. Enacted: January 12, 1991.
http://www.sipi.siteal.iipe.unesco.org/sites/default/files/sipi_normativa/guatemala_decreto_legislativo_nro_12_1991.pdf.
- 53 Government of Guatemala. Acuerdo Ministerial 1055. 2009.
http://www.mineduc.gob.gt/asignacioncodigopersonal/contenido/docs/MINEDUC_ACUERDO1055-2009.pdf.
- 54 Government of Guatemala. Acuerdo Gubernativo 226-2008. Enacted: 2008. Source on file.
- 55 UNESCO. EFA Global Monitoring Report: Education for All 2005-2015: Achievements and Challenges. Paris, 2015.
<http://unesdoc.unesco.org/images/0023/002322/232205e.pdf>.
- 56 Ministerio de Educación. Sistema Nacional de Indicadores Educativos. February, 2013.
<http://estadistica.mineduc.gob.gt/PDF/SNIE/SNIE-GUATEMALA.pdf>.
- 57 Ministry of Labor official. Interview with USDOL official. April 3, 2018.
- 58 Government of Guatemala. Acuerdo Ministerial 128-2009. Enacted: July 8, 2009.
http://www.ilo.org/dyn/travail/docs/2092/ACUERDO_Ministerio_128-2009.pdf.
- 59 Government of Guatemala. Protocolos de Inspección Guatemala: Buenas Prácticas, Verificación, Investigación. 2008. Source on file.
- 60 U.S. Embassy- Guatemala City official. Email communication to USDOL official. April 10, 2015.
- 61 U.S. Embassy- Guatemala City official. Email communication to USDOL official. May 16, 2014.
- 62 U.S. Embassy- Guatemala City. Official Email communication to USDOL official. July 2, 2019.
- 63 Government of Guatemala, Ministry of Labor. Informe Anual sobre la Labor de los Servicios de la Inspección General del Trabajo, Año 2017. Source on file.
- 64 Government of Guatemala, Ministry of Labor and Social Welfare. Informe Anual General sobre la Labor de los Servicios de Inspección General de Trabajo. 2018.
https://www.mintrabajo.gob.gt/images/Descargas/IGT/INFORME_ANUAL_IGT_2018.pdf.
- 65 Government of Guatemala official. Personal communication to USDOL official. February 16, 2018.
- 66 U.S. Embassy- Guatemala City official. Email communication to USDOL official. February 20, 2018.
- 67 U.S. Embassy- Guatemala City official. Email communication to USDOL official. June 26, 2018.
- 68 Government of Guatemala Ministry of Labor. Acuerdo Ministerial Numero 285-2017. January 18, 2018. Source on file.
- 69 Government of Guatemala. Decreto-No.-7-2017. April 6, 2017.
<http://www.asomet.org/wp-content/uploads/2016/06/Decreto-No.-7-2017-reformas-al-Dto.-No.-1441-Código-de-Trabajo.pdf>.
- 70 CIA. The World Factbook. Accessed March 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.

- 71 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 72 U.S. Department of State. Country Reports on Human Rights Practices-2016: Guatemala. Washington, DC, March 3, 2017.
<https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/guatemala/>.
- 73 Government of Guatemala. Guía de Funcionamiento con Enfoque de Pertinencia Cultural. 2018. Source on file.
- 74 IV Global Conference on the Sustained Eradication of Child Labour. Pledges. 2017.
<http://childlabour2017.org/en/resources/updates/pledges>.
- 75 Contacto Hoy. Gobierno de Guatemala Define Hoja de Ruta Para Erradicar El Trabajo Infantil. April 6, 2016.
<https://contactohoy.com.mx/gobierno-de-guatemala-define-hoja-de-ruta-para-erradicar-el-trabajo-infantil/>.
- 76 Yelmo, Jarbin. El Gobierno Acciona para Erradicar el Trabajo Infantil. Diario de Central America, April 7, 2016.
<https://dca.gob.gt/noticias-guatemala-diario-centro-america/gobierno-acciona-para-erradicar-trabajo-infantil/>.
- 77 Government of Guatemala. Response to USDOL Request for Information. December 9, 2016. Source on file.
- 78 Government of Guatemala. Hoja de Ruta Para Hacer de Guatemala un País Libre de Trabajo Infantil y Sus Peores Formas (2016-2020). December 12, 2016. Source on file.
- 79 Secretaria de Bienestar Social, ILO-IPEC, and ECPAT Guatemala. Protocolo para la detección y atención integral a niñas, niños, y adolescentes víctimas de explotación sexual comercial. January 4, 2007.
<http://www.ilo.org/ipeinfo/product/viewProduct.do?productid=6621>.
- 80 U.S. Embassy- Guatemala City official. Email communication to USDOL official. June 22, 2017.
- 81 Government of Guatemala. Política Pública contra la Trata de Personas y Protección Integral de las Víctimas (2014-2024) 2014.
[http://190.111.1.13/CAPP/documentos/19/Política Trata de Personas.pdf](http://190.111.1.13/CAPP/documentos/19/Política%20Trata%20de%20Personas.pdf).
- 82 U.S. Embassy- Guatemala City. Reporting. February 17, 2015.
- 83 Masaya, J. “Firman compromiso para prevenir y erradicar trabajo infantil.” República, Accessed March 3, 2015.
<http://republica.gt/2015/03/03/firman-compromiso-para-prevenir-y-erradicar-trabajo-infantil/>.
- 84 Vásquez, Byron and Edwin Pitán. “Cámara del Agro pretende que se eleve la edad para trabajo de menores.” Prensa Libre, March 3, 2015.
<http://www.prensalibre.com/guatemala/comunitario/camara-del-agro-pretende-que-se-eleve-la-edad-para-trabajo-de-menores>.
- 85 ILO. Lanzas red empresarial para prevenir y erradicar el trabajo infantil. San Jose. March 19, 2015: Press Release.
http://www.ilo.org/sanjose/sala-de-prensa/WCMS_356360/lang-es/index.htm.
- 86 Cámara del Agro. Declaración del Compromiso de la Red Empresarial para la Prevención y Erradicación del Trabajo Infantil en Guatemala: “Los niños y las niñas a la Escuela”. March 3, 2015.
<https://www.camaradelagro.org/wp-content/uploads/sites/24/2017/12/Declaración-Red-Empresarial-Contra-el-Trabajo-Infantil.pdf>.
- 87 Cámara del Agro. Estrategia de prevención de trabajo infantil en el sector agrícola. 20018. Source on file.
- 88 U.S. Embassy- Guatemala City official. Email communication to USDOL official. April 25, 2018.
- 89 Government of Guatemala - Ministry of Education. Estrategia Comprometidos con Primero. April 2017.
http://www.mineduc.gob.gt/portal/documents/estrategias/Estrategia_Comprometidos_con_Primerero.pdf.
- 90 Empresarios por la Educación. El MINEDUC presentó el programa “Comprometidos con primero”. Accessed January 29, 2018.
<http://www.empresariosporlaeducacion.org/content/mineduc-lanza-comprometidos-con-primero>.
- 91 Government of Guatemala. MINDES Social Program Information. Guatemala City, February 23, 2015. Source on file.
- 92 Government of Guatemala. Gobierno beneficia a 430 mil familias con Mi Bolsa Segura en siete meses del año. 2014. Source on file.
- 93 Government of Guatemala. Jóvenes Protagonistas llega a 75 mil asistencias. 2014. Source on file.
- 94 MIDES official. Email communication to USDOL official. May 3, 2018.
- 95 U.S. Embassy- Guatemala City official. Email communication to USDOL official. May 25, 2016.
- 96 IOM. IOM and Indigenous Teens Encourage Dialogue on Migration in Guatemala. Guatemala, September 25, 2015: Press Release.
<http://www.iom.int/news/iom-and-indigenous-teens-encourage-dialogue-migration-guatemala>.
- 97 ILO-IPEC Geneva official. Email communication to USDOL official. February 9, 2017.
- 98 U.S. Department of State. Country Reports on Human Rights Practices-2017: Guatemala. Washington, DC, April 20, 2018.
<https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/guatemala/>.

In 2018, Guinea made a minimal advancement in efforts to eliminate the worst forms of child labor.

The government organized a training course on forced labor and trafficking in conjunction with the ILO for members of the police and gendarmerie and published statistics related to the criminal enforcement of child labor laws. However, children in Guinea engage in the worst forms of child labor, including in mining and forced begging. Children also perform dangerous tasks in agriculture. The government lacks a coordinating mechanism and national policy to address all relevant worst forms of child labor, and corruption in law enforcement agencies and the judiciary may impede enforcement efforts. In addition, the government does not implement sufficient social programs to address the extent of the child labor problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guinea engage in the worst forms of child labor, including in mining and forced begging. (1,2) Children also perform dangerous tasks in agriculture. (2-4) Table 1 provides key indicators on children's work and education in Guinea.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	32.3 (1,152,064)
Attending School (%)	5 to 14	49.6
Combining Work and School (%)	7 to 14	19.2
Primary Completion Rate (%)		61.1

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey, 2012. (6)

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	Farming and carrying heavy loads† in the production of cashews, cocoa, and coffee (2,7-11)
	Herding livestock (2,7)
	Fishing, including capturing and processing fish (2,7,8,12-14)
Industry	Mining† granite, gold, and diamonds (1-3,7,8,10)
	Manufacturing, activities unknown (7)
	Construction,† including carrying materials and the fabrication of construction materials, such as bricks (4,7,15,16)
Services	Street work, including as market vendors, beggars, petty traders, shoe shiners, and porters in the transportation sector (2-4,7,8,13,17-19)
	Working in restaurants and informal cottage industries, including as waitresses (2,7)
	Domestic work (2,3,8,10,12,14,20)
Categorical Worst Forms of Child Labor‡	Forced labor as market vendors and in domestic work, mining, herding, fishing, and farming, each sometimes as a result of human trafficking (2,7,8)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,18,20,21)
	Forced begging by Koranic teachers (2,8,20,21)

† 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.

Guinea

MINIMAL ADVANCEMENT

Children in Guinea are exploited domestically and abroad for forced labor, commercial sexual exploitation, and domestic servitude. Some Guinean boys are subjected to forced labor in gold and diamond mining, including in Senegal and Mali, while Guinean girls are exploited in domestic work and commercial sexual exploitation in various West African and Middle Eastern countries.(2,7-24)

Boys placed in the care of Koranic schools in Guinea are sometimes forced by their teachers to beg on the street or to work in fields, and must then surrender the money they have earned to their teachers. (2,8,9,21,23) In addition, through the system of *confiage*, parents who are unable to care for their children send them to relatives or strangers who are expected to provide food, shelter, and schooling to the children in exchange for housework. In practice, some of these children receive care and an education, while many become domestic workers and are victims of labor exploitation and abuse. (8,13,22)

The Constitution guarantees free compulsory primary education, but many children do not attend school. Birth registration is required to attend school in Guinea, and some Guinean children lack identity documents, which may affect their access to education. (25) In addition, the lack of school infrastructure, cost of school fees and supplies, shortage of teachers, and reported school violence impede access to education, which may increase the vulnerability of children to the worst forms of child labor. (2,3,8,13,21)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Guinea 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 Guinea's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 137.5 of the Labor Code; Article 412 of the Child Code (26,27)
Minimum Age for Hazardous Work	Yes	18	Articles 2–4 of Order 2791 Working Conditions for Employees Aged Under 18 Years; Article 137.4 of the Labor Code (15,27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 415–418 of the Child Code; Articles 2 and 4 of Order 2791 Working Conditions for Employees Aged Under 18 Years; Article 135 of the Mining Code; Article 137.6 of the Labor Code (15,26-28)
Prohibition of Forced Labor	Yes		Articles 194–195 and 323 of the Penal Code; Articles 4 and 137.6 of the Labor Code; Articles 356–360, 385, and 397–399 of the Child Code (26,27,29)
Prohibition of Child Trafficking	Yes		Articles 195 and 323–324 of the Penal Code; Articles 356–360 and 385 of the Child Code (26,29)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 346–348 and 355 of the Penal Code; Articles 356–360 of the Child Code (26,29)
Prohibition of Using Children in Illicit Activities	Yes		Article 137.6 of the Labor Code; Article 383 of the Child Code; Article 344 of the Penal Code (26,27,29)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 429 of the Child Code (26)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 792.7 of the Penal Code; Article 429 of the Child Code (26,29)
Compulsory Education Age	Yes	16	Article 6, Title I of Education Decree 97/196/PRG/SGG (30)
Free Public Education	Yes		Article 23 of the Constitution (31)

* No conscription (32)

The revised Child Code including a more specific list of hazardous child labor activities in all relevant sectors was submitted to the National Assembly and is now pending a vote. (4,13,16,32) Guinean law prohibits hazardous occupations and activities for children; however, these prohibitions do not cover agriculture. Children working in this sector may be exposed to unhealthy environments, including hazardous substances and dangerous equipment. (7,8,15,25,27) Article 2.6 of Order 2791 prohibits children under age 18 from working in the extraction of minerals and materials from mines and quarries, but Article 135 of the Mining Code permits children below the age of 16 to work in mines and quarries as assistants. This exemption allows an opportunity for children to perform hazardous activities legally. (15,28)

Guinean law allows children between the ages of 12 and 14 to perform light work in the domestic work and agriculture sectors. (15,26) However, the law does not prescribe the number of hours per week permitted for light work, nor does it specify the conditions under which light work may be done as defined by international standards on child labor. (15,25) The Labor Code imposes only a minimum age for children employed by employers and does not address situations in which children work on their own account, which does not conform to international standards that require all children to be protected under the law establishing a minimum age for work. (25,27,33,34)

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 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 (MOL)	Enforces all labor laws, including those related to child labor through its labor inspectorate. (13,25,35) Oversees the Child Labor Monitoring and Surveillance System, which aims to identify and remove children from exploitative labor conditions. (21)
Office for the Protection of Gender, Children, and Morals (OPROGEM) Special Police Unit	Investigates cases related to the protection of minors, including the worst forms of child labor. (2,4,13,18,32) Formulates, plans, and monitors all activities, programs and policy measures for safeguarding vulnerable population groups and protecting morality. (14)
Ministry for Social Action, Promotion of Women and Children (MASPFE)	Provides protection and social services for victims of child labor and human trafficking. (8,13)
Ministry of Justice	Monitors cases of children referred to social services centers through its National Directorate of Supervised Education and Youth Protection. (4)

Guinea

MINIMAL ADVANCEMENT

Labor Law Enforcement

In 2018, labor law enforcement agencies in Guinea took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate labor law enforcement, including allocation of financial and other resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown (4)
Number of Labor Inspectors	Unknown (36)	200 (4)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (4)
Initial Training for New Labor Inspectors	No (36)	No (4)
Training on New Laws Related to Child Labor	N/A	N/A (4)
Refresher Courses Provided	Yes (34)	No (4)
Number of Labor Inspections Conducted	250 (23)	488 (4)
Number Conducted at Worksite	250 (23)	488 (4)
Number of Child Labor Violations Found	Unknown (13)	5 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (13)	5 (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (13)	0 (4)
Routine Inspections Conducted	Yes (13)	Yes (4)
Routine Inspections Targeted	No (13)	Yes (4)
Unannounced Inspections Permitted	Yes (13)	Yes (4)
Unannounced Inspections Conducted	Yes (13)	Yes (4)
Complaint Mechanism Exists	Yes (13)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (36)	No (4)

During 2018, the government employed 200 individuals as part of its labor inspectorate and conducted 488 inspections, of which 7 focused exclusively on child labor. The government does target construction sites. (4) The labor inspectorate does not have a dedicated budget and only maintains a single vehicle with a portion of each inspector's salary used to cover fuel costs for inspection trips, restricting its ability to conduct labor inspections. (4,20)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Guinea 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 with the allocation of financial and human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (13)	No (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (13)	Yes (4)
Number of Investigations	19 (23)	20 (4)
Number of Violations Found	Unknown (23)	Unknown (4)
Number of Prosecutions Initiated	8 (23)	Unknown (4)
Number of Convictions	4 (23)	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (16)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (4)

In 2018, a director and deputy director were nominated to lead the Ministry of Justice's National Directorate of Supervised Education and Youth Protection. (4)

The Office for the Protection of Gender, Children, and Morals (OPROGEM) Special Police Unit remained understaffed, underfunded, and without sufficient office supplies, transportation, or fuel to enforce laws related to the worst forms of child labor. (4,13,32,37) In addition, corruption in law enforcement agencies and the judiciary may impede efforts to combat the worst forms of child labor. (2,20,23,24)

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 may hinder the effective coordination of efforts to address child labor, including efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
National Committee to Combat Trafficking in Persons and Similar Practices (CNLTPPA)	Coordinates anti-human trafficking efforts, including for children. Led by the Ministry for Social Action, Promotion of Women and Children (MASPFE), includes representatives from OPROGEM, MOL, and other ministries. (2,8,18,23) In 2018, the CNLTPPA organized a training session on forced labor and trafficking in conjunction with the ILO for approximately 30 members of the police and gendarmerie. CNLTPPA also organized three awareness campaigns targeting local communities along Guinea's border with Sierra Leone and Senegal. (16,20)
Committee for Monitoring, Protection, and Defense of the Rights of the Child (CGSDE)	Implements, coordinates, and monitors government efforts on child protection. Led by MASPFE. (18,32,38) Research was unable to determine specific activities undertaken during the reporting period. (16)

Limited budgets for the CNLTPPA and the CGSDE affect their ability to operate and coordinate efforts to address child labor. (2,13,32,37) Although the government has established a coordination mechanism on human trafficking, research found no evidence of mechanisms to coordinate the government's efforts to address child labor.

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 covering all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Development Plan (2016–2020)	Seeks to promote sustainable development and social equality. Overseen by the Ministry of Planning and International Cooperation and supported by the World Bank. (39,40) Includes activities to combat commercial sexual exploitation of children, human trafficking, and child labor. (39) In 2018, research found no evidence of activities undertaken. (16)

Research found no evidence of a generalized child labor policy. (4,14,34)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government 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 efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Decent Work Country Program (2016–2019)	Seeks to develop a National Action Plan for the elimination of child labor, including all its worst forms. Overseen by the MOL and supported by the ILO. (41) In 2018, research was unable to determine whether any actions were undertaken.
World Bank Country Program	World Bank projects in Guinea that aim to increase access to quality basic education and youth employment, improve school infrastructure, and strengthen safety nets for vulnerable populations, especially those affected by the Ebola virus disease outbreak. (42-45) In 2018, research was unable to determine whether any actions were undertaken. (16)

Research found that the scope of programs implemented by the Government of Guinea is insufficient for the

Guinea

MINIMAL ADVANCEMENT

extent of the problem, including addressing children engaged in agriculture, domestic work, forced begging, mining, and street work.

Reports indicate that social services available are not effective to meet the needs of the victims, and, as a result, the government relied on NGOs to provide shelter and other basic services to victims. Moreover, financial shortfalls still constrain services. (2,4,13,20,23,32,37)

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 Guinea (Table I I).

Table I I. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that children under age 18 are prohibited from performing hazardous work that falls into an R.190 category, such as agriculture.	2014 – 2018
	Ensure that all children are prohibited from participating in hazardous mining.	2010 – 2018
	Ensure that light work provisions of the law are specific enough to prevent children from involvement in child labor.	2015 – 2018
	Ensure that all children are protected by law, including children working outside of a formal employment relationship and children who are self-employed.	2009 – 2018
Enforcement	Provide consistent initial training and refresher training for labor law enforcement officials, and initial training for criminal law enforcement officials along with increased resources to adequately enforce child labor laws.	2009 – 2018
	Publish information on labor inspectorate funding, and the numbers of violations, prosecutions, convictions, and imposed penalties related to the criminal enforcement of child labor laws.	2011 – 2018
	Establish a referral mechanism between the Ministry of Labor and the Ministry for Social Action, Promotion of Women and Children to protect and rehabilitate children involved in child labor.	2016 – 2018
	Address corruption in law enforcement agencies and the judiciary that impedes efforts to combat the worst forms of child labor.	2015 – 2018
Coordination	Establish coordinating mechanisms to combat child labor.	2010 – 2018
	Ensure that the National Committee to Combat Trafficking in Persons and Similar Practices and the Committee for Monitoring, Protection, and Defense of the Rights of the Child receive adequate funding to fulfill their missions.	2010 – 2018
	Ensure that Committee for Monitoring, Protection, and Defense of the Rights of the Child is active and undertakes activities.	2018
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor.	2014 – 2018
	Undertake activities in support of the National Development Plan.	2018
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children by assisting unregistered children to obtain birth and identity documentation that entitles them to attend school; improve school infrastructure and increase teacher availability; remove school-related fees; and ensure the safety of children in schools.	2010 – 2018
	Ensure that social services are properly funded and adequate to meet the needs of victims of the worst forms of child labor.	2010 – 2018
	Institute programs to address the worst forms of child labor, including in agriculture, domestic work, forced begging, mining, and street work.	2010 – 2018

REFERENCES

- Bah, Mamadou Oury. Guinée: travail d'enfants dans la carrière de granite de Manéah. *AfriqueActualite*, October 18, 2016. http://beta.afriqueactualite.com/societe/societe/5611-guinee-travail-d-enfants-dans-la-carriere-de-granite-de-maneah#.WxID_-4vypo.
- U.S. Department of State. *Trafficking in Persons Report- 2018: Guinea*. Washington, DC. 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/guinea/>.
- Guinee7. *Exploitation des enfants: la Région de Faranah enregistre le plus grand nombre d'enfants travailleurs*. June 14, 2017. <http://guinee7.com/2017/06/14/exploitation-des-enfants-la-region-de-faranah-enregistre-le-plus-grand-nombre-denfants-travailleurs/>.
- U.S. Embassy- Conakry. Reporting. February 7, 2019.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary education, both sexes (%)*. Accessed March 12, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.

- 6 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey, 2012. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 7 ILO-IPEC. Rapport de L'Enquete Nationale Sur le Travail et la Traite des Enfants en Guinee de 2010. Technical Report. November 2011. <http://www.ilo.org/ipeinfo/product/viewProduct.do?productid=21016>.
- 8 UNICEF. Analyse de Situation des Enfants en Guinée. 2015. https://www.ecoi.net/file_upload/90_1439291236_unicef-child-notice-guinea-201506.pdf.
- 9 Issatou, D. Guinée: L'exploitation abusive des enfants, très récurrente à Boké. Flashguinee.net, March 19, 2016. <http://flashguinee.info/guinee-lexploitation-abusive-des-enfants-tres-recurrente-a-boke/>.
- 10 Bah, Fatoumata Dalanda. Exploitation des enfants en Guinée: Les tout-petits poussent leurs cris de cœur! GuinéeNews, June 13, 2017. <http://bemato.info/item-118244-exploitation-des-enfants-en-guinee-les-t>.
- 11 U.S. Embassy- Conakry. Reporting. November 6, 2017.
- 12 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Guinea (ratification: 2003). 2016. Accessed November 7, 2016. Source on file.
- 13 U.S. Embassy- Conakry. Reporting. January 11, 2018.
- 14 ILO. Report of the Committee of Experts on the Application of Conventions and Recommendations. February 8, 2019. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_670146.pdf.
- 15 Government of Guinea. Conditions de travail des salariés âgés de moins de 18 ans, Arrêté n°2791/MTASE/DNTLS/96. Enacted: April 22, 1996. <http://www.droit-afrique.com/upload/doc/guinee/Guinee-Arrete-1996-2791-travail-des-enfants.pdf>.
- 16 U.S. Embassy- Conakry official. Email communication to USDOL official. May 31, 2019.
- 17 Barry, AT. L'exploitation abusive des enfants est devenue monnaie courante à Kankan. Guinee News, May 15, 2015. Source on file.
- 18 UN Committee on the Rights of the Child. Periodic Reports of States Parties due in 2013: Guinea. CRC/C/OPSC/GIN/I. October 12, 2016. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CR/C/OPSC/GIN/I&Lang=en.
- 19 Diallo, Nenen Raby. Guinée: Les enfants albinos, entre mendicité et exploitation. La Voix des Jeunes, August 10, 2017. Source on file.
- 20 U.S. Embassy- Conakry. Reporting. March 1, 2019.
- 21 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Guinea (ratification: 2003). Accessed November 7, 2016. Source on file.
- 22 Camara, A. Traite et exploitation des enfants: Une pratique avérée en Guinée. Sabari FM, March 15, 2016. <http://www.sabarifm.com/4/3068/a/fr/traite-et-exploitation-des-enfants-une-pratique-averee-en-guinee.html>.
- 23 U.S. Embassy- Conakry. Reporting. February 20, 2018.
- 24 UN Comité des droits de l'homme. Observations finales concernant le troisième rapport périodique de la Guinée. December 7, 2018. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkGId/PPRiCAqhKb7yhsswua+gmPOIES16nsX0bj9rx+Yg3ji5G8SnmRBidLG EN2nh1rPYe+XmNMgdU5S38aLH7Hdp1fHPTThR54wv2NNzAX0cLXz0jndXrxSjyrPVB>.
- 25 U.S. Department of State. Country Reports on Human Rights Practices-2017: Guinea. Washington, DC. 2018. <https://www.state.gov/documents/organization/277251.pdf>.
- 26 Government of Guinea. Loi Portant Code de l'Enfant. Enacted: August 2008. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/98741/117564/F-1366184401/GIN-98741.pdf>.
- 27 Government of Guinea. Special Code du Travail, L/2014/072/CNT. Enacted: January 10, 2014. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/96583/114158/F200086881/GIN-96583.pdf>.
- 28 Government of Guinea. Code Minier. Enacted: 1995. <https://rmportal.net/library/content/frame/codeminer.doc>.
- 29 Government of Guinea. Penal Code, 2016/059. Enacted: 2016. Source on file.
- 30 Government of Guinea. Decret D/97/196-/PRG/SGG. Enacted: July 30, 1997. Source on file.
- 31 Government of Guinea. Constitution. Enacted: April 19, 2010. <http://ddata.over-blog.com/1/35/48/78/Guinee/constitution-Guinee-2010.pdf>.
- 32 COLTE/CRC. Supplementary report on the implementation of the Optional Protocol to the Convention on the Trafficking of Children, Prostitution and Child Pornography in Guinea. June 2017. http://tbinternet.ohchr.org/Treaties/CRC-OP-SC/Shared Documents/GIN/INT_CRC-OP-SC_NGO_GIN_28841_E.pdf.
- 33 U.S. Embassy- Conakry official. Email communication to USDOL official. March 14, 2017.
- 34 ILO. Report of the Committee of Experts on the Application of Conventions and Recommendations. 2018. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3338434:NO.
- 35 Government of Guinea. Code du travail de la République de Guinée. Enacted: 1988. http://www.ilo.org/aids/legislation/WCMS_301242/lang--fr/index.htm.
- 36 U.S. Embassy- Conakry official. Email communication to USDOL official. May 10, 2018.
- 37 UN Committee on the Rights of the Child. Concluding observations on the report submitted by Guinea 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. CRC/C/OPSC/GIN/CO/I. October 26, 2017. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CR/C/OPSC/GIN/CO/I&Lang=en.
- 38 U.S. Embassy- Conakry. Reporting. January 12, 2017.
- 39 Government of Guinea. Plan national de développement économique et social 2016-2020. January 18, 2017. <http://www.gouvernement.gov.gn/images/PNDES/Plan National du Developpement Economique et Sociale.pdf>.
- 40 Jeune Afrique. Guinée: le Plan national de développement économique et social largement financé. November 17, 2017. <http://www.jeuneafrique.com/493808/economie/493808guinee-plan-largement-finance/>.
- 41 ILO. Programme Pays de Promotion du Travail Dècent en Guinée. December 2015. <http://www.ilo.org/public/english/bureau/program/dwcp/download/ppdt-guinee-2016-19.pdf>.
- 42 World Bank. Proposed Additional Grant in the Amount of SDR 8.6 Million (US\$12 Million Equivalent) and a Proposed Ebola Recovery and Reconstruction Trust Fund Grant in the Amount of US\$4.35 Million to the Republic of Guinea for a Productive Social Safety Nets Project. Report No. PAD1768. May 9, 2016. <http://documents.worldbank.org/curated/en/653591468197396701/pdf/PAD1768-PJPR-P123900-Box394887B-OUO-9-IDA-R2016-0094-1.pdf>.
- 43 World Bank. Productive Social Safety Net Project (P123900). Implementation Status & Results Report: Sequence 09. September 23, 2016. <http://documents.worldbank.org/curated/en/904381474664063111/pdf/ISR-Disclosable-P123900-09-23-2016-1474664051852.pdf>.
- 44 World Bank. Productive Social Safety Net Project (P123900). Implementation Status & Results Report: Sequence 08. February 17, 2016. <http://www.projects.worldbank.org/P123900/guinea-safety-net-project?lang=en>.
- 45 World Bank. Productive Social Safety Net Project (P123900). Implementation Status & Results Report: Sequence 10. April 24, 2017. <http://documents.worldbank.org/curated/en/549291493044575650/pdf/ISR-Disclosable-P123900-04-24-2017-1493044565418.pdf>.

In 2018, Guinea-Bissau made a moderate advancement in efforts to eliminate the worst forms of child labor. The government implemented the Code of Conduct Against Sexual Exploitation in Tourism by conducting various awareness raising campaigns on the commercial sexual exploitation of children for hotel and night club owners, and throughout Bissau and the Bijagós Archipelago. The government also hired 13 additional labor inspectors and, in conjunction with NGO partners, provided more than 150 child victims of human trafficking for forced begging with reintegration, medical assistance, and shelter. However, children in Guinea-Bissau engage in the worst forms of child labor in forced begging. Children also engage in child labor in agriculture. In addition, the government has not determined the types of hazardous work prohibited for children and law enforcement officials do not receive the appropriate training and resources to adequately conduct inspections and prosecute cases of child labor. Furthermore, social programs do not fully address the extent of the problem in the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guinea-Bissau engage in the worst forms of child labor in forced begging. (1,2) Children also engage in child labor in agriculture. (1) According to a national child labor survey, more than 169,200 children ages 5 to 17 work; 85 percent of these children work in agriculture. (3) Table 1 provides key indicators on children's work and education in Guinea-Bissau. 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	57.4 (Unavailable)
Attending School (%)	5 to 14	68.1
Combining Work and School (%)	7 to 14	48.4
Primary Completion Rate (%)		64.3

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2019. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014. (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	Farming, including the production of cashews (1,3,6)
	Fishing, activities unknown (1,3)
Services	Domestic work (1,3,7)
	Street work, including car washing, shoe shining, and vending (1,2,8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,9)
	Forced labor in domestic work, agriculture, and street work, including begging, each sometimes as a result of human trafficking (1,2,9-11)

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

In Guinea-Bissau, organized networks of human traffickers affiliated with Koranic schools force boys to beg within the country and in The Gambia, Guinea, Mali, and Senegal. Although many Koranic school teachers provide

Guinea-Bissau

MODERATE ADVANCEMENT

religious education as traditionally intended, some force the students, known as *talibés*, to beg on the streets for money and food. (1,2) Most *talibés* originate from the predominantly Muslim areas of Bafatá and Gabú in the eastern region of the country. (1,2)

Boys are forced to work in street vending in Guinea-Bissau; they also are trafficked for forced labor in agriculture, mining, and street vending in Senegal. Boys from Guinea-Bissau and boys from neighboring countries are forced to beg and harvest cashews. (2,6) Girls are subjected to forced labor in street vending and domestic work in Guinea-Bissau and Senegal. Girls also are engaged in commercial sexual exploitation in the Bijagós Archipelago of Guinea-Bissau, on mainland Guinea-Bissau in bars and hotels, and in Senegal. (2,7,9)

In 2018, the government became more politically stable, with Parliament reopening in April. However, due to the previous years of instability, the government's ability to address child labor may have been affected during the reporting period. (12-14)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Guinea-Bissau 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 Guinea-Bissau's legal framework to adequately protect children from the worst forms of child labor, including with regard to the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Article 146 of the General Labor Law (15)
Minimum Age for Hazardous Work	Yes	18	Article 148 of the General Labor Law (15)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 148 of the General Labor Law (15)
Prohibition of Forced Labor	Yes		Articles 2, 4, and 15 of the Law to Prevent and Combat Human Trafficking; Article 106 of the Penal Code (16,17)
Prohibition of Child Trafficking	Yes		Articles 2, 4, and 15 of the Law to Prevent and Combat Human Trafficking (17)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3–5 of the Law to Prevent and Combat Human Trafficking; Articles 134 and 136 of the Penal Code (16,17)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3 and 7 of the Decree on Narcotic Substances (18)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 31 of Law No. 4/99 (19)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of Law No. 4/99 (19)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15‡	Articles 12–13 of the Education System Law (20)
Free Public Education	No		Article 12 (2) of the Education System Law (20)

‡ Age calculated based on available information (20,21)

The minimum age for work is not in compliance with international standards, as the law's minimum age protections do not apply to children working without a work contract. (15,21) The government has not determined by national law or regulation the types of hazardous work prohibited for children. (15)

The Education System Law states that basic education is compulsory and lasts 9 years; however, it only makes basic education free through grade six, leaving children in grades seven through nine without access to free basic education. (20) In addition, 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. (15,20)

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 Public Administration 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 Public Administration	Enforces child labor legislation in collaboration with the ministries of Interior and Justice, and the National Institute for Women and Children (IMC). (22)
Ministry of Interior's Public Order Police and National Guard	Combat child labor through the prevention of child trafficking. (8,23)
Judicial Police's Women and Children Brigade	Investigates the worst forms of child labor and refers cases to the IMC and NGOs. The brigade comprises nine officers. (1)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Guinea-Bissau took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Public Administration that may hinder adequate labor law enforcement, including training for labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	17 (24)	30 (1)
Inspectorate Authorized to Assess Penalties	Unknown	Unknown
Initial Training for New Labor Inspectors	No (24)	No (1)
Training on New Laws Related to Child Labor	N/A	N/A (1)
Refresher Courses Provided	No (24)	No (1)
Number of Labor Inspections Conducted	49 (24)	121 (1)
Number Conducted at Worksite	49 (24)	121 (1)
Number of Child Labor Violations Found	0 (24)	0 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A
Number of Child Labor Penalties Imposed that Were Collected	N/A	N/A
Routine Inspections Conducted	No (24)	No (1)

Guinea-Bissau

MODERATE ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Routine Inspections Targeted	No (24)	No (1)
Unannounced Inspections Permitted	Yes (24)	Yes (1)
Unannounced Inspections Conducted	Yes (24)	Yes (1)
Complaint Mechanism Exists	No (24)	No (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (24)	No (1)

In 2018, although the number of inspectors increased, the government reported that the number of labor inspectors was insufficient to target the scope of the problem. In addition, enforcement of child labor laws remains challenging due to the lack of resources for inspections. (1)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Guinea-Bissau 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 financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (24)	No (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (24)	No (1)
Number of Investigations	26 (24)	Unknown
Number of Violations Found	75 (24,25)	7‡ (1)
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	0 (24)	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	No (24)	No (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (24)	No (1)

‡ Data are from January 2018 to August 2018.

The National Institute for Women and Children (IMC) identified 159 child victims of human trafficking for forced begging. The IMC, in partnership with NGO stakeholders, assisted these children with reintegration, medical assistance, and shelter. (14)

During the reporting period, the UNODC trained 23 law enforcement officials on conducting human trafficking investigations. In addition, the IOM conducted several training sessions on human trafficking prevention, victim assistance and implementation of child referral monitoring mechanisms for government and law enforcement officials. (14,26) However, the government reported that training for criminal law enforcement officials and resources for criminal investigations were insufficient. (1)

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 may hinder the adequate coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Inter-Ministerial Commission to Fight Child Labor	Coordinates the government's efforts to prevent and eliminate child labor; established in 2010. (1,24) In 2018, conducted awareness-raising campaigns, two regional conferences in Bafatá and Gabú, and a national conference in Bissau. (14)

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

Coordinating Body	Role & Description
National Committee to Prevent and Combat Trafficking in Persons	Coordinates government efforts to combat human trafficking. Led by the IMC. (1,27) In 2018, with the support of the International Organization for Migration, implemented awareness-raising activities in Gabú, Bafatá, Cacheu and Bissau. (1)
National Institute for Women and Children (IMC)	Coordinates with NGOs and other partner organizations to rehabilitate and reintegrate child victims of exploitation. (8) In 2018, concluded and disseminated the Code of Conduct Against Sexual Tourism in the Bijagós Islands, São Domingos, Cacheu and Bissau. In addition, with the assistance of the Ministry of Tourism, trained various hotel owners and managers on the prevention of sexual tourism. (14)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that may hinder efforts to address child labor, including funding and implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy for the Protection of Children and Adolescents (2018–2030)	Guides the government's policies for combating violence towards children, including child labor. (28) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Action Plan on Human Trafficking (2015–2018)	Guided the government's efforts to prevent and combat trafficking in persons. (27) In 2018, policy was not implemented due to a lack of funding. (2)
Code of Conduct Against Sexual Exploitation in Tourism	Seeks to raise awareness on commercial sexual exploitation of children and child trafficking in Guinea-Bissau, particularly in the Bijagós Archipelago. (29) In December 2018, IMC conducted an awareness session with hotel and night club owners on the Code. Awareness campaigns also took place in Bissau and in the Bijagós Archipelago, where girls are known to be engaged in commercial sexual exploitation. (1)
UN Country Partnership Framework (2016–2020)	Aims to assist in promoting free and universal birth registration, and enforcing human trafficking and child labor provisions. (30) Since 2016, helped IMC reintegrate 132 talibés with their families; and provided access to shelter, schools, and psychological and medical assistance. (31) In 2018, conducted awareness raising activities on talibés to more than 1,500 people throughout Gabú and Bafatá. In addition, held capacity-building trainings on enhancing criminal justice response to trafficking in persons and strengthening the protection of victims to over 40 stakeholders, including judicial police, National Guard and NGOs working with human trafficking victims. (32)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government participated in programs that include the goal of eliminating and 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
UNICEF Country Program (2016–2020)	UNICEF-funded program in collaboration with the government to prevent and combat child trafficking through education, social protection mechanisms, and capacity-building for law enforcement officials. (33) Active in 2018. (1)
Friends of the Child (Associação dos Amigos da Criança) Shelters	Donor-funded program, with government support, implemented by an NGO that provides social services to vulnerable children, including victims of the worst forms of child labor. (14,34) In 2018, provided identification and reintegration services to 150 children. (14)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (35)

In June 2018, the Inter-Ministerial Commission to Fight Child Labor conducted awareness-raising activities, two regional conferences in Bafatá and Gabú, and a national conference in Bissau to promote the prevention and reporting of child trafficking. However, reports indicate that the government has not conducted any national public awareness-raising campaigns on human trafficking, including child trafficking. (14,36)

Guinea-Bissau

MODERATE ADVANCEMENT

Reports indicate that services provided by shelters do not meet international standards due to funding constraints. (14) In addition, although Guinea-Bissau has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.

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 Guinea-Bissau (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are protected by law, including children without a work contract.	2015 – 2018
	Determine by national law or regulation the types of hazardous work prohibited for children, after consultation with employers' and workers' organizations.	2009 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Ensure that all 9 years of basic education are free.	2015 – 2018
	Raise minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Publish law and criminal enforcement data, including information on labor inspectorate funding, the ability of the inspectorate to assess penalties, the number of prosecutions initiated, convictions secured, and imposed penalties for violations related to the worst forms of child labor.	2009 – 2018
	Impose penalties for convictions related to the worst forms of child labor.	2018
	Strengthen the labor inspectorate by initiating routine inspections rather than performing inspections solely based on complaints received, and by initiating targeted inspections based on the analysis of data related to risk-prone sectors and patterns of serious incidents.	2016 – 2018
	Establish a mechanism to receive child labor complaints.	2016 – 2018
	Establish referral mechanisms to ensure that children found during labor inspections and criminal investigations are referred to social services providers.	2016 – 2018
	Ensure that law and criminal enforcement officials receive adequate training and resources to inspect, investigate, and prosecute cases of child labor.	2009 – 2018
	Ensure that the number of law enforcement officials is sufficient to address the scope of the problem.	2018
Government Policies	Ensure implementation of key policies related to child labor, including the National Policy for the Protection of Children and Adolescents.	2017 – 2018
Social Programs	Ensure that facilities have adequate resources to assist victims of the worst forms of child labor.	2015 – 2018
	Expand existing programs to address the scope of the child labor problem.	2009 – 2018
	Significantly increase efforts to raise national awareness of human trafficking, including child trafficking.	2018

REFERENCES

- 1 U.S. Embassy- Dakar. Reporting. February 14, 2019.
- 2 U.S. Department of State. Trafficking in Persons Report- 2018: Guinea-Bissau. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/guinea-bissau/>.
- 3 Institute National De Statistique, ILO-IPEC, UNICEF. RAPPORT FINAL: Enquête nationale sur le travail des enfants en Guinée-Bissau. March 15, 2014. http://www.stat-guineebissau.com/publicacao/Relatorio_final_Trabalho_Infantil_23-01-2015.pdf.
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 5 UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2014. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 6 Sidibé, Alcene. CAMPANHA DE CAJU E FANADO AUMENTAM A TAXA DE ABANDONO ESCOLAR NA REGIÃO DE BAFATÁ. Radio Jovem. January 13, 2018. <https://www.radiojovem.info/campanha-caju-fanado-aumentam-taxa-abandono-escolar-na-regiao-bafata/>.
- 7 Peyton, Nellie. Underpaid and abused, Guinea-Bissau's domestic workers seek protection. Reuters. February 22, 2019. <https://www.reuters.com/article/us-bissau-work-women/underpaid-and-abused-guinea-bissaus-domestic-workers-seek-protection-idUSKCN1QB1DQ>.
- 8 U.S. Embassy- Dakar. Reporting. February 25, 2014.

- 9 Candé, Amatijane. Mendicidade e exploração sexual marcam tráfico humano na Guiné-Bissau. July 30, 2016. <https://news.un.org/pt/story/2016/07/1558661-mendicidade-e-exploracao-sexual-marcam-trafico-humano-na-guine-bissau>.
- 10 U.S. Embassy- Dakar. Reporting. October 13, 2016.
- 11 Peyton, Nellie. Tradition or trafficking? Guinea-Bissau children suffer in Senegal's Islamic schools. Reuters. March 5, 2019. <https://www.reuters.com/article/us-bissau-education-trafficking/tradition-or-trafficking-guinea-bissau-children-suffer-in-senegals-islamic-schools-idUSKCN1QN054>.
- 12 Shryock, Ricci. Tensions in Bissau as Leaders Meet to Resolve Political Crisis. December 18, 2017. <https://www.voanews.com/a/tension-in-bissau-increase-as-leaders-meet-in-abuja-to-resolve-political-crisis/4168650.html>.
- 13 Bavier, Joe. Guinea-Bissau's Vaz names Aristides Gomes as new PM: decree. Reuters. April 16, 2018. <https://www.reuters.com/article/us-bissau-politics/guinea-bissaus-vaz-names-aristides-gomes-as-new-pm-decree-idUSKBN1HN21C>.
- 14 U.S. Embassy- Dakar. Reporting. March 21, 2019.
- 15 Government of Guinea-Bissau. Lei Geral do Trabalho, Lei n.º 2/86. Enacted: April 25, 1986. [http://www.africanchildforum.org/clr/Legislation Per Country/guinea bissau/guineabissau_labour_1986_pr.pdf](http://www.africanchildforum.org/clr/Legislation%20Per%20Country/guinea%20bissau/guineabissau_labour_1986_pr.pdf).
- 16 Government of Guinea-Bissau. Código Penal, Lei n.º 4/93. Enacted: October 13, 1993. Source on file.
- 17 Government of Guinea-Bissau. Lei da prevenção e combate ao tráfico de pessoas, em particular mulheres e crianças, Lei n.º 12. Enacted: July 6, 2011. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/95018/111703/F216767232/GNB95018.pdf>.
- 18 Government of Guinea-Bissau. Legislação Relativa a Estupefacientes, Decreto-Lei n.º 2-B/93. Enacted: October 28, 1993. Source on file.
- 19 Government of Guinea-Bissau. Lei do Serviço Militar Obrigatório, Lei n.º 4/99. Enacted: September 7, 1999. Source on file.
- 20 Government of Guinea-Bissau. Lei de Bases do Sistema Educativo. Enacted: 2011. Source on file.
- 21 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Guine-Bissau (ratification: 2009) Published: 2019. Accessed March 25, 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3963299:NO.
- 22 U.S. Embassy- Dakar. Reporting. January 11, 2017.
- 23 U.S. Embassy- Dakar official. Email communication to USDOL official. February 6, 2015.
- 24 U.S. Embassy- Dakar. Reporting. March 13, 2018.
- 25 U.S. Embassy- Dakar. Reporting. October 6, 2017.
- 26 UN Security Council. Developments in Guinea-Bissau and the activities of the United Nations Integrated Peacebuilding Office in Guinea-Bissau. Report of the Secretary-General. August 16, 2018 <https://reliefweb.int/sites/reliefweb.int/files/resources/NI825523.pdf>.
- 27 Government of Guinea-Bissau. Plano Nacional de Prevenção e Combate ao Tráfico de Seres Humanos. 2015-2018. Source on file.
- 28 Government of Guinea-Bissau. Política Nacional de Proteção Integral da Criança e do Adolescente na Guiné-Bissau (PNPIC/GB) 2018 – 2030. January 2018. Source on file.
- 29 U.S. Embassy- Dakar. Reporting. February 6, 2017.
- 30 UN Development Group. Cadre de Partenariat Entre la Guinée-Bissau et les Nations Unies, 2016 - 2020. Bissau, ONU na Guiné-Bissau. April 2016. Source on file.
- 31 Gaston, M. Bushayija, and Ucaim Gomes. Mid-Term Review Partnership Framework Between Guinea-Bissau And The United Nations. UN Partnership Framework. October 2018. https://undg.org/country-detail/?country_code=GW.
- 32 U.S. Embassy- Dakar official. Email communication to USDOL official. July 1, 2019.
- 33 UNICEF. Annual Report 2016 Guinea Bissau. 2016. https://www.unicef.org/about/annualreport/files/Guinea_Bissau_2016_COAR.pdf.
- 34 Associação dos Amigos da Criança. Associação dos Amigos da Criança. Página inicial. Accessed: November 28, 2016. <http://amic-gb.blogspot.com/>.
- 35 World Food Programme. Guinea-Bissau: Country Brief. July 2018. https://reliefweb.int/sites/reliefweb.int/files/resources/WFP_COUNTRY_BRIEF_GUINEA_BISSAU_JULY_2018.pdf.
- 36 U.S. Department of State official. Email communication to USDOL official. June 26, 2019.

In 2018, Guyana made a moderate advancement in efforts to eliminate the worst forms of child labor. In August 2018, the government established, within the Guyana Geology and Mines Commission, a trafficking in persons unit responsible for registering and categorizing local and foreign workers, including children, in the hinterland. The government also approved the National Policy on Child Labor that aims to eradicate child labor by 2025, and contributed \$300,000 to NGO-run shelters for human trafficking victims. However, children in Guyana continue to engage in the worst forms of child labor, including in mining and in commercial sexual exploitation, sometimes as a result of human trafficking. Law enforcement agencies have insufficient financial and human resources to enforce laws related to child labor, including its worst forms, and existing laws do not fully prohibit using children in certain forms of child labor. Moreover, the government does not have targeted social programs to fully address the extent of the child labor problem in the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guyana engage in the worst forms of child labor, including in mining and commercial sexual exploitation, sometimes as a result of human trafficking. (1-6) The 2014 Multiple Indicator Cluster Survey indicated that children living in Guyana's interior are more likely than other children to be engaged in child labor, with 37 percent of children ages 5 to 17 living in the interior engaged in child labor. The survey also indicated that 41 percent of children living in Amerindian households engage in child labor, with 34 percent of these children engaged in hazardous work. (1) Table 1 provides key indicators on children's work and education in Guyana.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	20.1 (Unavailable)
Attending School (%)	5 to 14	97.1
Combining Work and School (%)	7 to 14	22.1
Primary Completion Rate (%)		97.7

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2014. (8)

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	Farming,† including the production of cabbage, cherries, limes, rice, squash, sugarcane, and charcoal (2,4-6,9-13)
	Forestry, including logging,† preservation of lumber, and work in sawmills† (1,4,9,13)
	Raising animals, including chickens (4)
	Fishing,† activities unknown (4,14)
Industry	Construction,† activities unknown (4,13,14)
	Mining,† including gold mining and bauxite mining (1,4,9,13)
Services	Domestic work (2,4)
	Welding† and working in scrap iron yards (2,4)
	Working in stores, bars, and restaurants (2,4,15)

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Street work, including selling fruit, washing cars, and begging (2,4,10,11,16)
	Cleaning boats and ferries and helping load luggage and goods (4)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (4,6,9-11,13,14,17)
	Use in illicit activities, including planting marijuana and smuggling drugs, weapons, and goods (2,4)

† 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.

Children in Guyana, including girls as young as age 12, are involved in commercial sexual exploitation in Georgetown and the country’s interior. There are reports of young girls in mining communities being subjected to commercial sexual exploitation as a result of human trafficking. (2,4-6) Children are engaged in informal, small-scale mining in which they wash gold, operate dangerous machinery, and are exposed to hazardous chemicals. (4,5)

Children in Guyana’s interior and rural areas have limited access to education due to poor infrastructure, long distances to schools, transportation costs, and a shortage of qualified teachers. This leads to decreasing enrollment and high dropout rates among students, particularly in secondary school. (2,4,5,18,19)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Guyana 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 Guyana’s legal framework to adequately protect children from the worst forms of child labor, including sufficient prohibition of commercial sexual exploitation of children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Articles 2–3 of the Employment of Young Persons and Children Act; Articles 17–22 of the Education Act (20,21)
Minimum Age for Hazardous Work	Yes	18	Part 1, Article 2 and Part 2, Article 3 of the Employment of Young Persons and Children Act; Articles 17, 41, 46, and 75 of the Occupational Safety and Health Act (20,22)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Hazardous Occupations and Processes in Guyana; Part 1, Article 2 of the Employment of Young Persons and Children Act; Articles 17, 41, and 75 of the Occupational Safety and Health Act (20,22,23)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 40 of the Constitution; Article 3 of the Combating of Trafficking in Persons Act (24,25)
Prohibition of Child Trafficking	Yes		Article 3 of the Combating of Trafficking in Persons Act (25)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 50(3) of the Protection of Children Act; Article 3(2) of the Combating of Trafficking in Persons Act (25,26)
Prohibition of Using Children in Illicit Activities	No		Article 50(1) of the Protection of Children Act (26)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 18 of the Defense Act (27,28)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15	Articles 13 and 22 of the Education Act (21)
Free Public Education	Yes		Article 27 of the Constitution (24)

* No conscription (3)

Although the Employment of Young Persons and Children Act prohibits hazardous work for anyone under age 18, the law does not fully protect adolescents ages 16 and 17 from engaging in hazardous work. Part 1, Article 2 of the Employment of Young Persons and Children Act prohibits night work for minors employed in industry. However, the Act also provides an exception that permits adolescents ages 16 and older to perform certain work requiring continuity through day and night, including gold mining reduction work and the production of iron, steel, glass, paper, and raw sugar. This work is performed without legal provisions that ensure adolescent laborers' health, safety, and morals are fully protected or that they receive specific instruction or training in these activities. (20)

Guyanese law does not sufficiently prohibit all commercial sexual exploitation of children as it does not prohibit the use, procuring, and offering of a child for pornographic performances. (5,25,29) Although Article 50(1) of the Protection of Children Act prohibits selling or giving drugs to children, the law does not specifically prohibit the use, procuring, or offering of a child for the production and trafficking of drugs. (26,30)

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 Social Protection that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Protection	Monitors and enforces child labor laws in collaboration with the Ministry of Education, Forestry Commission, Geology and Mines Commission, National Insurance Scheme, and Guyana Police Force. The Chief Labor Officer handles special investigations stemming from child labor complaints and oversees routine labor inspections. (5) Includes a Trafficking in Persons Unit and the Childcare and Protection Agency, to which children identified during labor inspections are referred. (5)
Guyana Police Force	Enforces criminal laws related to the worst forms of child labor, including human trafficking, commercial sexual exploitation, and the use of children in illicit activities. Works in consultation with the Director of Public Prosecutions, the Ministry of Public Security, the Ministry of Social Protection, the Ministry of Education, and the Ministry of Indigenous Peoples' Affairs, depending on the circumstances of each case. (5)
Ministry of Public Security	Leads enforcement of human trafficking laws. Chairs the Inter-Ministerial Task Force on Combating Trafficking in Persons. (5)

MODERATE ADVANCEMENT

Labor Law Enforcement

In 2018, labor law enforcement agencies in Guyana took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Social Protection that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (12)	\$235,000 (5)
Number of Labor Inspectors	25 (13)	15 (5)
Inspectorate Authorized to Assess Penalties	No (13)	No (5)
Initial Training for New Labor Inspectors	Yes (13)	Yes (5)
Training on New Laws Related to Child Labor	No (13)	N/A (5)
Refresher Courses Provided	No (13)	Yes (5)
Number of Labor Inspections Conducted	1,400 (13)	1,733 (5)
Number Conducted at Worksite	1,400 (13)	1,733 (5)
Number of Child Labor Violations Found	7 (13)	21 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (13)	0 (5)
Number of Child Labor Penalties Imposed that Were Collected	N/A (13)	0 (5)
Routine Inspections Conducted	Yes (13)	Yes (5)
Routine Inspections Targeted	No (13)	No (5)
Unannounced Inspections Permitted	Yes (13)	Yes (5)
Unannounced Inspections Conducted	Yes (13)	Yes (5)
Complaint Mechanism Exists	Yes (13)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (5)

During the reporting period, law enforcement officials found 21 child labor violations, 8 of which were categorized as the worst forms of child labor, including 7 violations for commercial sexual exploitation of children, and 1 for child labor exploitation. (31)

The number of labor inspectors is likely insufficient for the size of Guyana's workforce, which includes over 313,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Guyana would employ roughly 21 inspectors. (32,33) In 2018, the number of labor inspectors decreased to 15 due to the delinking agencies within the Ministry of Social Protection. The government recognizes the number of inspectors is not sufficient to adequately monitor Guyana's workforce, including the interior where child labor is most prevalent. (4,5,13) Furthermore, inspectors have insufficient resources to conduct inspections in remote areas, including transportation and accommodation. (5)

Although the number of labor inspections increased during the reporting period, each inspector conducted approximately 115 inspections. It is unknown whether the reported activity of 115 inspections per inspector impacted the quality of inspections. (5)

The government has acknowledged challenges in monitoring and enforcing the provisions established in Articles 41 and 46 of the Occupational Safety and Health Act, which aim to protect children from work that may harm their physical health or emotional development. (17)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Guyana 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 human resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (13)	Yes (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (13)	N/A (5)
Refresher Courses Provided	Yes (13)	Yes (5)
Number of Investigations	7 (12)	30 (34)
Number of Violations Found	0 (13)	21 (5)
Number of Prosecutions Initiated	0 (13)	11 (34)
Number of Convictions	0 (13)	1 (34)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	0 (13)	0 (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (5)

During the reporting period, the government reported a 20 percent increase in human trafficking victim identification resulting from continuous awareness raising campaigns and trainings on methods to identify and refer victims to appropriate social services. (5,34) In addition, the government established a Trafficking in Persons Unit within the Geology and Mines Commission, which must register and categorize local and foreign workers in the hinterland, and conduct spontaneous inspections to ensure that workers in these areas are not exploited. (34)

The government has acknowledged that there is an insufficient number of staff members in the Ministry of Social Protection's Trafficking in Persons Unit. (12,35) Although the government has conducted training for law enforcement, prosecutors, and judicial officers; prosecutions of human trafficking cases can take 24 months or longer to conclude. (34) In addition, with only 33 justices and magistrates, the courts have a backlog of cases and more than a 2-year waiting period on all legal matters. (16,31)

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 may hinder the adequate coordination of efforts to address child labor, including efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
Inter-Ministerial Taskforce on Combating Trafficking in Persons	Reports on the nature and magnitude of human trafficking in Guyana and documents government's response. Carries out public education campaigns and promotes prevention measures. (5) Combats commercial sexual exploitation of children and the use of children in illicit activities. Members include the participation of 16 government ministries. (16,36) Chaired by the Minister of Public Security. Participating member agencies include: the Ministries of Amerindian Affairs, Natural Resources and Environment, Education, Legal Affairs, and Foreign Affairs. (16,37) In 2018, provided training to the Guyana Police Force, including guidelines for interviewing victims; implemented public awareness campaigns on trafficking in persons; and drafted the 2019–2020 National Action Plan on Trafficking in Persons. (34, 36)
National Tripartite Committee	Addresses national labor legislation and policy. Includes representatives from government agencies, labor unions, and employers, including the Ministry of Social Protection, the Consultative Association of Guyanese Industries, the Guyana Trades Union Congress, and the Federation of Independent Trade Unions of Guyana. (16,38,39) Research was unable to determine whether the National Tripartite Committee was active during the reporting period.
Commission on the Rights of the Child	Protects and promotes children's rights in accordance with the UN CRC, which includes addressing the worst forms of child labor. In 2018, the Commission on the Rights of the Child began drafting a new strategic plan to replace the previous Five-Year Strategic Plan that ended during the previous reporting period. (5)

Although the government has established the Inter-Ministerial Task Force on Combating Trafficking in Persons, research found no evidence of mechanisms to coordinate efforts to combat other worst forms of child labor.

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 whether child labor elimination and prevention strategies were addressed in the National Education Policy.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy Toward the Elimination of Child Labor (2018–2025)	Aims to prevent and eliminate child labor in all its forms by 2025 by reconciling gaps and inconsistencies within existing national policies with ratified international conventions. Establishes a national framework to coordinate, enforce, monitor, and evaluate all efforts to combat child labor, and increases protections to vulnerable indigenous children in the hinterland. (40) Approved in April 2019. (41)
Inter-Ministerial Task Force on Combating Trafficking in Persons Action Plan (2017–2018)	Seeks to prevent and raise awareness about human trafficking, provide direct assistance to victims, improve law enforcement's capacity to identify and respond to human trafficking, and strengthen interagency coordination and referral mechanisms. (9,42,43) In 2018, Inter-Ministerial Taskforce trained Toshihos (leaders of indigenous villages) in mining districts on human trafficking victim assistance and identification methods; developed and launched an information booklet on the rights of victims and another on trafficking in persons legislation; and conducted awareness raising campaigns across Guyana.(34)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (44)

The government is developing a Memorandum of Understanding (MOU) with Brazil to establish standard operating procedures for handling human trafficking cases involving Brazilian nationals. The MOU addresses protocols for the treatment and repatriation of trafficking in persons victims. (34)

The government has not included child labor elimination and prevention strategies in the National Education Policy. The Commission on the Rights of the Child began drafting a new strategic plan to replace the previous Five-Year Strategic Plan; however, research was unable to determine whether the new strategy includes child labor elimination and prevention strategies. (5,17,44)

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 adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Guyana Decent Work Country Program (2017–2021)†	Aims to improve working conditions and increase respect for international standards, social protection, economic opportunities, and social dialogue. Includes plans to conduct research and raise awareness on child labor; develop a national child labor policy, and establish coordination mechanisms to prevent and respond to child labor and forced labor. (45) Research was unable to determine whether activities were undertaken to implement the Guyana Decent Work Country Program during the reporting period.
Prevention and Elimination of Child Labor in the Americas Project	Government of Brazil-funded regional cooperation project to address child labor. In 2017, the Government of Guyana published the ILO's Rapid Assessment of Child Labor in Guyana and indicated the report will inform the government's development of a national child labor policy. (4) Research was unable to determine whether activities were undertaken to implement the Prevention and Elimination of Child Labor in the Americas Project during the reporting period.
Child Labor Hotline‡	Government-funded project implemented by the Ministry of Social Protection that provides a hotline accessible to the public for reporting cases of child labor. Active in 2018. (5,12,13)
Human Trafficking Hotline‡	Government-funded hotline to assist human trafficking victims. Active in 2018. (6)
Shelter for Domestic Violence Victims‡	Government-funded, NGO-run shelter that houses victims of domestic violence and human trafficking, including children. Provides services, including psychological counseling and practical skills training. (5) Accommodates teenage girls under age 16 who are placed at the shelter at the request of the government's Childcare and Protection Agency. (5) Receives \$50,000 annually from the government. (46) Active in 2018. (5)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
School Meals and Uniforms†	Government-funded program that provides hot meals to 16,000 students at schools in the interior and transportation for students in several remote areas. All students in government-run schools, from nursery to secondary school, receive vouchers to purchase school uniforms, shoes, and backpacks. (16,47) Active in 2018. (5)
5Bs Program†	Government-funded program that provides boots, boats, buses, bicycles, books, and breakfast to school children to improve access to education. (13,19) Active in 2018. (5)
Child Advocacy Center	Funded by private sector donations and implemented by the Ministry of Social Protection and NGOs to provide services for abused children. The Ministry of Social Protection's Childcare and Protection Agency oversees the center and makes referrals. (42) Research was unable to determine whether activities were undertaken to implement the child advocacy center during the reporting period.
Board of Industrial Training†	Government-funded program that aims to deter early school dropouts by providing job skills to at-risk youth between ages 15 and 17 who may not otherwise be able to complete their formal education. Active in 2018. (5)

† Program is funded by the Government of Guyana.

In 2018, the government contributed \$300,000 to NGO-managed shelters that provide services for human trafficking victims, including victims of child trafficking. (34)

The scope of government programs targeting the worst forms of child labor is insufficient to fully address the extent of the problem, including child labor in the mining industry and commercial sexual exploitation of children. (13,46)

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 Guyana (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law fully protects all children under age 18 from engaging in hazardous work, including night work.	2010 – 2018
	Ensure that the law sufficiently prohibits all commercial sexual exploitation of children by prohibiting the use, procuring, and offering of a child for pornographic performances.	2010 – 2018
	Ensure that the law sufficiently prohibits the use of children for illicit activities by prohibiting the use, procuring, or offering of a child for the production or trafficking of drugs.	2016 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
Enforcement	Increase the number of labor inspectors trained and responsible for providing enforcement of child labor laws to ensure a sufficient number of inspectors are available to carry out labor inspections.	2015 – 2018
	Authorize the labor inspectorate to assess penalties.	2016 – 2018
Enforcement	Ensure that the labor inspectorate receives sufficient funding to monitor the interior, where child labor is most prevalent.	2011 – 2018
	Ensure the appropriate application of Articles 41 and 46 of the Occupational Safety and Health Act to ensure that children are not engaged in work that may harm their physical health or emotional development.	2015 – 2018
	Ensure the Ministry of Social Protection's Trafficking in Persons Unit is sufficiently staffed to carry out its mandate.	2018
	Dedicate more resources, including judicial personnel, to address the backlog of cases and ensure cases are concluded in a timely manner; including cases related to the worst forms of child labor.	2010 – 2018
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms, and ensure that the National Tripartite Committee engages in regular meetings and coordination efforts.	2014 – 2018
Government Policies	Ensure child labor elimination and prevention strategies are integrated in the newly drafted 5-Year Strategic Plan on the Rights of the Child and in the National Education Policy.	2010 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that children are not prevented from attending school because of transportation costs.	2014 – 2018
	Increase the number of qualified teachers, particularly in rural and interior areas.	2015 – 2018
	Develop new initiatives and expand existing programs to reach all children involved in the worst forms of child labor, including programs addressing child labor in the mining industry and commercial sexual exploitation of children.	2010 – 2018

References

- Bureau of Statistics Ministry of Public Health and UNICEF. Guyana Multiple Indicator Cluster Survey 2014 Final Report. 2015. [https://www.unicef.org/guyana/MICS_5_Final_Report\(1\).pdf](https://www.unicef.org/guyana/MICS_5_Final_Report(1).pdf).
- ILO-IPEC and Ministry of Labour Human Services and Social Security of Guyana. Guyana National Child Labour Rapid Assessment Survey 2011. 2013. Source on file.
- U.S. Embassy- Georgetown. Reporting. January 31, 2014.
- ILO Decent Work Team and Office for the Caribbean. Rapid Assessment of Child Labor in Guyana. 2017. http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-report_of_spain/documents/publication/wcms_573539.pdf.
- U.S. Embassy- Georgetown. Reporting. March 5, 2019.
- U.S. Department of State. Trafficking in Person Report- 2018: Guyana. Washington, DC. June 27, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/guyana/>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2014. Analysis received March 12, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Georgetown. Reporting. February 16, 2017.
- Associated Press. Guyana reports 'troubling' prevalence of child labour. news24.com. October 22, 2015. <http://www.news24.com/World/News/Guyana-reports-troubling-prevalence-of-child-labour-20151022>.
- Government of Guyana. Social Protection Ministry setting up unit to tackle child labour; Government Information Agency. December 9, 2015. Source on File.
- U.S. Embassy- Georgetown official. Email communication to USDOL official. May 18, 2018.
- U.S. Embassy- Georgetown. Reporting. February 12, 2018.
- UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families. Concluding observations on the initial report of Guyana*. May 22, 2018: CMW/C/GUY/CO/1. https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CMW/C/GUY/CO/1&Lang=En.
- U.S. Embassy- Georgetown. Reporting. December 31, 2015.
- U.S. Embassy- Georgetown. Reporting. February 17, 2016.
- ILO Committee of Experts. Individual Observation concerning the Minimum Age Convention (No. 138), adopted 2014, Guyana (ratification: 1998). Published: 2019. Accessed: March 28, 2019. https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963302:NO.
- UN Economic and Social Council. Concluding observations on the combined second to fourth periodic reports of Guyana. Report No. E/C.12/GUY/CO/2-4. 2015 http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/GUY/CO/2-4&Lang=En.
- Henry, Paulette. Child Neglect in Guyana. 2017. <http://childlinkgy.org/wp-content/uploads/2015/04/Child-Neglect-Research-Final-Report.pdf>.
- Government of Guyana. Employment of Young Persons and Children Act (Chapter 99:01) [consolidated up to 1973], No. 14. Enacted: 1933. [http://www.ilo.org/dyn/travail/docs/597/cap9901EmploymentofYoungPersonsandChildren\[1\].pdf](http://www.ilo.org/dyn/travail/docs/597/cap9901EmploymentofYoungPersonsandChildren[1].pdf).
- Government of Guyana. Education Act, Chapter 39:01. Enacted: 1998. Source on file.
- Government of Guyana. Occupational Safety and Health Act, Chapter 99:10. Enacted: 1997. http://blue.lim.ilo.org/cariblex/pdfs/Guyana_OSH.pdf.
- Government of Guyana. Labour Laws Primer. Primer. Ministry of Labor, Human Services and Social Security. April 21, 2015. <http://www.mlhss.gov.gy/Manual-Version2.pdf>.
- Government of Guyana. The Constitution of Guyana, 1980 with 1996 Reforms. Enacted: 1996. <http://pdba.georgetown.edu/Constitutions/Guyana/guyana96.html>
- Government of Guyana. Combating of Trafficking in Persons Act 2005. Enacted: 2005. http://parliament.gov.gy/documents/acts/4653-act_no_2_of_2005.pdf.
- Government of Guyana. Protection of Children Act, No. 17. Enacted: 2009. Source on file.
- Government of Guyana. Defense Amendment Act. Enacted: 2011. Source on file.
- Government of Guyana. Defense Act. Enacted: 1998. <http://www.gdf.mil.gy/files/cap1501.pdf>.
- Government of Guyana. Criminal Law (Offences) Act, Chapter 8:01. Enacted: 1998. Source on file.
- ILO Committee of Experts. Individual Direct Request concerning the Worst Forms of Child Labour, 1999 (No. 182) Guyana (ratification: 2001) Published: 2019. Accessed April 1, 2019. https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963431:NO.
- U.S. Embassy Georgetown official. Email communication to USDOL official. May 30, 2019.

- 32 ILO. *Strategies and Practice for Labour Inspection*. Geneva, Committee on Employment and Social Policy. November 2006. GB.297/ESP/3. Please see “Labor Law enforcement: Sources and Definitions” in the Reference Materials section of this report.
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 33 UN. *World Economic Situation and Prospects 2017 Statistical Annex*. New York. 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 34 U.S. Embassy- Georgetown. Reporting. February 15, 2019.
- 35 U.S. Embassy- Georgetown. Reporting. February 2, 2016.
- 36 ILO Committee of Experts. Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Guyana (ratification: 1966) Published: 2019. Accessed March 28, 2019.
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3960865:NO.
- 37 U.S. Embassy- Georgetown. Reporting. February 11, 2015.
- 38 U.S. Embassy- Georgetown official. Email communication to USDOL official. June 30, 2016.
- 39 ILO. *Decent Work Country Programme of Guyana (2012-2015)*.
<http://www.ilo.org/public/english/bureau/program/dwcp/download/guyana.pdf>.
- 40 Government of Guyana. *A National Policy Toward The Elimination Of Child Labor*. 2018. Source on file.
- 41 Guyana Chronicle. Big blow to child labour. April 27, 2019.
<https://guyanachronicle.com/2019/04/27/big-blow-to-child-labour>
- 42 U.S. Embassy- Georgetown official. Email communication to USDOL official. December 4, 2014.
- 43 Government of Guyana. *National Plan of Action for the Prevention and Response to Trafficking in Persons: 2014–2015*. Source on file.
- 44 Government of Guyana. *National Development Strategy Chapter 20: Educational Policy* Government of Guyana. March 31, 2016.
<http://www.guyana.org/NDS/chap20.htm>
- 45 Government of Guyana and ILO. *Guyana Decent Work Country Program (2017 to 2021)*. December 15, 2017. Source on file.
- 46 U.S. Embassy- Georgetown. Reporting. February 17, 2015.
- 47 Government of Guyana. *Highlights of Guyana’s Efforts in the Fight against Child Labour during 2013*. January 10, 2014. Source on file.

In 2018, Haiti made a minimal advancement in efforts to eliminate the worst forms of child labor. During the year, the government established, trained, and deployed a specialized unit of border police known as the POLIFRONT to combat transnational crime, including human trafficking. It also secured 17 convictions for crimes related to the worst forms of child labor. However, children in Haiti perform dangerous tasks in agriculture and domestic work. Children are also placed in orphanages where some are subsequently used for domestic work. Haiti lacks a clear, easily applicable minimum age for domestic work and a list of hazardous occupations prohibited to children. Limited resources for the enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. In addition, social programs to combat child labor are insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Haiti perform dangerous tasks in agriculture and domestic work. (1-7) Table 1 provides key indicators on children's work and education in Haiti. 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	34.4 (815,993)
Attending School (%)	5 to 14	92.4
Combining Work and School (%)	7 to 14	34.9
Primary Completion Rate (%)		Unavailable

Primary Completion Rate was unavailable from UNESCO Institute for Statistics, 2019. (8)

Source for all other data: International Labor Organization's analysis of statistics from *Enquête Mortalité, Morbidité et Utilisation des Services, 2012*. (9)

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	Harvesting sugarcane, collecting cut sugarcane, grinding sugarcane, and clearing land for sugarcane production (1)
	Raising livestock (7)
	Capturing and processing fish (1,6,10)
Industry	Construction, including transport of construction materials such as sand and rocks (1,4,6,10)
	Producing metal crafts (11)
Services	Domestic work (2,3,12-14)
	Transporting and selling alcohol† and tobacco (6)
	Street work, including vending, begging, shining shoes, washing cars, and carrying water, firewood, goods, and luggage in public markets and bus stations (4-7,10)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, agriculture, street vending, and begging, each sometimes as a result of human trafficking (3-6,14-16)
	Use in illicit activities, including by criminal groups in drug trafficking (17)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4,5,10,18-20)

† 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.

Haiti

MINIMAL ADVANCEMENT

A 2015 study found that there were approximately 286,000 child domestic workers in Haiti, 207,000 of whom were lagging behind in school or had significantly lower school enrollment rates. (5,10,13,14,21) Some parents who are unable to care for their children send them to residential care centers or to relatives or strangers who are expected to provide the children with food, shelter, and schooling in exchange for household work. In practice, some of these children receive care and access to education, while many others become victims of labor exploitation and abuse. (2-4,12,14,22)

In addition, Haiti has over 750 orphanages that house over 25,000 children who may be vulnerable to trafficking and child labor in lieu of attending school. (21) According to a Ministry of Social Affairs and Labor's Institute of Social Welfare and Research (IBESR) study, the majority of Haiti's orphanages fail to comply with government standards for care. The government has stated that after a grace period, which ends in July 2019, it will begin closing remaining non-compliant orphanages. In 2018, the Government of Haiti closed eight orphanages where there was evidence of child labor for domestic work and prevention of children from attending school. (21,23-25) The government is instead focusing on promoting child fostering to prevent child labor in institutions. (23-25)

Children are trafficked both internally and externally, primarily to the Dominican Republic, other Caribbean countries, South America, and the United States. NGOs have reported that children illegally crossing the Haiti-Dominican Republic border are often accompanied by adults paid to act as the children's parents or guardians until they reach the Dominican Republic. (5,6,10,26) Some of these children are reunited with relatives in the Dominican Republic, while others engage in commercial sexual exploitation, domestic work, agriculture, street vending, and begging. (5,6,10,27)

During 2018, the Government of the Dominican Republic continued involuntarily repatriating individuals with irregular migration status to Haiti, pursuant to Dominican law. (14,28-31) Some of these individuals, including children, are Dominican-born persons of Haitian descent. (32) Some of these children were residing in Haiti in camps near the border with the Dominican Republic, where schools and other basic services are not available. In addition, these children may not speak French or Haitian Creole, the languages of instruction in public Haitian schools. (4,14,16,33,34) These children, including those who have been deported to Haiti or who left voluntarily, are vulnerable to the worst forms of child labor. (5,34)

The Constitution of Haiti provides free and compulsory primary education. (35-37) In addition, while many children in Haiti are not registered at birth, unregistered children are able to access social assistance services and educational programs provided by the government. However, public schools often charge fees for books, uniforms, and school materials. Because private schools represent approximately 90 percent of existing schools, most Haitian children are enrolled in private schools that charge tuition and other fees, which make education prohibitive to many families. (4,6,7,14,38,39) Other children, especially in rural areas, do not attend school due to the lack of school infrastructure and limited availability of teachers. Out-of-school children are more vulnerable to the worst forms of child labor. (4,7,16) In addition, the Ministry of Education recommends that a child be between 11 and 13 years of age when transitioning to secondary school. Past this age threshold, overage children must integrate into a special group that attends school during the evening shift. (40-42) However, research did not find evidence that schools provide instruction during evening shifts for special groups. (41,43)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Haiti 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 Haiti's legal framework to adequately protect children from child labor, including with the minimum age for work and the compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 10 of the Law Organizing and Regulating Labor (44)
Minimum Age for Hazardous Work	Yes	18	Article 334 of the Labor Code; Article 2 of the Act on the Prohibition and Elimination of All Forms of Abuse, Violence, Ill Treatment, or Inhumane Treatment Against Children (Act of 2003) (45,46)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 333–336 of the Labor Code (46)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Article 2 of the Act of 2003; Article 1.1.11 of the Anti-Trafficking in Persons Law (45-47)
Prohibition of Child Trafficking	Yes		Article 2 of the Act of 2003; Article 1.1.1 of the Anti-Trafficking in Persons Law (46,47)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 2 of the Act of 2003; Articles 279–281 of the Penal Code; Article 1.1.17 of the Anti-Trafficking in Persons Law (46-48)
Prohibition of Using Children in Illicit Activities	Yes		Article 72 of the Law on the Control and Suppression of Illicit Drug Trafficking; Article 2 of the Act of 2003 (46,49)
Minimum Age for Voluntary State Military Recruitment	No		
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 268 of the Constitution (36)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 70 of the Penal Code; Article 2 of the Act of 2003 (46,48)
Compulsory Education Age	No	15	Article 23 of the Decree on the Reorganization of the Haitian Education System (36)
Free Public Education	Yes		Articles 32.1 and 33 of the Constitution (35)

The Labor Code applies only to workers who perform work under a formal employment agreement, which does not conform to international standards that require all children to be protected under the law establishing a minimum age for work. (7,46,50) In addition, as the minimum age for work is 16, children age 15 are vulnerable to child labor because they are not required to attend school but also are not legally permitted to work. (36,44)

In addition, it is unclear whether there is a minimum age for domestic work because the Act on the Prohibition and Elimination of All Forms of Abuse, Violence, Ill Treatment, or Inhumane Treatment Against Children of 2003 (Act of 2003) annulled Chapter 9 of the Labor Code, which set a minimum age for domestic work at 12. (7,46,47,50)

Haiti

MINIMAL ADVANCEMENT

The Labor Code prohibits children ages 16 to 18 from working at night in industrial jobs and in establishments that serve alcohol. (45) However, the types of hazardous work prohibited for children do not cover agriculture, an area of work in which children are exposed to hazardous substances and agents, and to temperatures that can damage their health. In addition, in 2014 the Government of Haiti drafted a hazardous work list for children under age 18, but the draft hazardous work list remains unapproved by Parliament for the fourth consecutive year; in addition, the current draft does not include all tasks in which children perform dangerous work, such as harvesting, collecting, and grinding sugarcane. (6,17,41,51-55) However, Haiti's National Tripartite Committee stated that it wants to update the draft hazardous work list and submit it to Parliament for approval in 2019. (41)

In November 2017, the government re-established Haiti's armed forces to assist with natural disaster relief, border security, and development projects. (56) Although Haiti's Constitution establishes the age for compulsory military recruitment at age 18, and sources suggest recruitment materials set the minimum age for voluntary recruitment at age 18, research could not find evidence of a law that establishes the age for voluntary military recruitment. (36,57,58)

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 authority of the Ministry of Social Affairs and Labor (MAST) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Affairs and Labor (MAST)	Enforces laws related to child labor by receiving complaints, conducting investigations, and referring cases to juvenile courts. (45,59) MAST's Institute of Social Welfare and Research (IBESR) agents perform child protection inspections and are responsible for accrediting residential care centers. Develops and implements programs to raise awareness of child labor and provide social services to child victims of labor exploitation. (3,10,59,60)
Brigade for the Protection of Minors (BPM)	Investigates crimes of the worst forms of child labor, including child trafficking and commercial sexual exploitation. Submits investigations to judicial authorities for criminal prosecutions and refers child victims to IBESR. (3,60) Housed under the Haitian National Police. (10)
POLIFRONT	Enforces Haiti's Customs Code and investigates transnational crimes, including child trafficking. Cooperates with the Dominican Republic Border Police. (61-63) Housed under the Haitian National Police. Created in 2014 and deployed in 2018. (61-64)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Haiti took actions to combat child labor (Table 6). However, gaps exist within the authority of MAST that may hinder adequate labor law enforcement, including with penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (6)	Unknown (17)
Number of Labor Inspectors	148 (6)	Unknown (17)
Inspectorate Authorized to Assess Penalties	No (6)	No (17)
Initial Training for New Labor Inspectors	Unknown (6)	Unknown (17)
Training on New Laws Related to Child Labor	Unknown (6)	No (65)
Refresher Courses Provided	Yes (6)	Yes (17)
Number of Labor Inspections Conducted	Unknown (6)	Unknown (17)
Number Conducted at Worksite	Unknown (6)	Unknown (17)
Number of Child Labor Violations Found	Unknown (6)	Unknown (17)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (6)	Unknown (17)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (6)	Unknown (17)
Routine Inspections Conducted	Yes (6,66)	Yes (17)

Table 6. Labor Law Enforcement Efforts Related to Child Labor(Cont.)

Overview of Labor Law Enforcement	2017	2018
Routine Inspections Targeted	No (6)	No (17)
Unannounced Inspections Permitted	Yes (6)	Yes (41)
Unannounced Inspections Conducted	Unknown (6)	Unknown (17)
Complaint Mechanism Exists	Yes (6)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (17)

In 2018, MAST allocated \$709,000 to the IBESR which employed 104 agents throughout Haiti, a decrease from 150 agents employed in 2017. These agents included 48 child protection agents and approximately 20 social workers to handle child protection cases, including those involving child labor. (10,17,41) Each IBESR regional bureau includes a child protection section that employs five to seven agents. During the reporting period, IBESR conducted child protection inspections in commercial and industrial establishments. (6,17) Reports indicate that the lack of sufficient resources, such as means of transportation, fuel, and appropriately equipped workplaces, hampered MAST's enforcement efforts, including IBESR's capacity to enforce child labor laws. (6,17,67,68) In addition, penalties of \$58 (5,000 HTG) for violating child labor laws are insufficient to deter violations. (45)

IBESR also manages the "133" hotline that receives complaints about situations requiring child protection. (5,10,69) However, the hotline functions exclusively in Port-au-Prince, leaving rural areas without a mechanism to receive child labor complaints. (16) The number of calls related to child labor received during 2018 is unknown.

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Haiti 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 with financial and human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	No (10)	No (17)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (6)	Yes (17)
Refresher Courses Provided	Yes (10)	Yes (17)
Number of Investigations	991 (6)	834 (17)
Number of Violations Found	178 (10)	345 (17)
Number of Prosecutions Initiated	Unknown (6)	17 (17)
Number of Convictions	Unknown (6)	17 (17)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (6)	Yes (17)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (17)

In 2018, the Brigade for the Protection of Minors (BPM) maintained a staff of 80 agents in 24 offices around the country, including in 4 offices along the Haiti-Dominican Republic border. (10,17) Given the large number of reported cases of the worst forms of child labor in the country, the number of criminal law enforcement agents is inadequate. (70) BPM investigated 834 cases of child trafficking, forced child labor, use of children in illicit activities, and commercial sexual exploitation of children, and reported that it found 345 cases of violations of laws related to the worst forms of child labor. In addition, the BPM reported that it secured 17 convictions for crimes related to the worst forms of child labor. (17) In August 2018, 2 individuals were charged with attempting to traffic 25 children between the ages of 3 and 6 to an unlicensed orphanage with the intent of soliciting donations from visiting foreigners. (71) Despite these efforts, reports indicate that the BPM's lack of trained staff, equipment, transportation, and funding hampered their ability to enforce laws related to the worst forms of child labor. (5,6,10,51)

In 2018, the Haitian National Police deployed the first specialized unit of the POLIFRONT to the border city of Ouanaminthe, Haiti's busiest border crossing, to combat human trafficking and the illicit drug trade. This unit is

Haiti

MINIMAL ADVANCEMENT

made up of more than 100 officers who received training on border management, including combating trafficking in persons, and will work with Dominican border agents. (17,61,62,70) During the year, POLIFRONT arrested at least 81 alleged traffickers and trained the second class of POLIFRONT recruits. POLIFRONT also referred 173 unaccompanied minors to IBESR. (21,61,64,72) During the reporting period, the government worked with an NGO to train judges and magistrates throughout Haiti on the 2014 Anti-Trafficking in Persons Law and its implementation. (21)

During the reporting period, the Government of Haiti conducted seven additional prosecutions for trafficking in persons and obtained six convictions for two separate trafficking in persons cases. (21) One case involved five Haitian pastors who were convicted in absentia under the 2014 Anti-Trafficking Law. The pastors were found guilty of attempting to traffic 5 children between the ages of 4 and 14 to the Dominican Republic. (21)

An informal referral mechanism between BPM, IBESR, and NGOs is in place to provide reintegration services to victims of the worst forms of child labor. (5,10) BPM also manages the “188” hotline that receives notifications of alleged violations related to the worst forms of child labor. (73) However, like the IBESR hotline, the “188” hotline functions exclusively in Port-au-Prince, which makes reporting cases involving the worst forms of child labor more difficult in rural areas. The hotline receives an average of 50 calls per week, and of those calls, BPM usually identifies 3 or 4 cases that require follow up. (10,21,74)

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 with coordination in accomplishing mandates.

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

Coordinating Body	Role & Description
National Tripartite Commission for the Elimination of the Worst Forms of Child Labor	Develops policies, approves programs, and coordinates, monitors, and evaluates efforts to combat child labor in Haiti. Chaired by MAST, includes representatives from IBESR, BPM, and local and international organizations. (75)
National Committee for the Fight Against Trafficking in Persons (CNLTP)	Coordinates actions against human trafficking, and provides protection and rehabilitation services to victims. Chaired by IBESR, includes representatives from MAST, BPM, and other ministries. In 2018, the Government of Haiti earmarked a budget of \$490,000 for the CNLTP which is a four-fold increase from 2016–2017, the last time the CNLTP was funded. (21,48,76)
Child Protection Working Group	Implements, coordinates, and monitors efforts on child protection, including protection for child domestic workers. Chaired by IBESR, comprises non-governmental stakeholders and officials from various ministries. (77,78)

There was no evidence that the National Tripartite Commission for the Elimination of the Worst Forms of Child Labor conducted meetings or took action to combat child labor during the reporting period. (6,41)

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 adopting a new national child labor action plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Child Protection Policy (2016–2020)	Aims to protect children from abuse, violence, and labor exploitation, and promotes improved access to education and livelihood services for vulnerable children, with a focus on domestic workers. Led by IBESR and supported by international donors. (79,80)
National Strategic Development Plan (PSDH) (2014–2019)	Highlights the need to prohibit child labor to ensure sustained and equitable economic growth. Overseen by the Ministry of Planning and External Cooperation and the Ministry of Economy and Finance. (81,82)

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
National Action Strategy for Education for All (2011–2018)	Aims to increase access to quality primary education, particularly for vulnerable populations, by subsidizing school fees for both public and private schools. The strategy is overseen by the Ministry of Education and supported by international donors. (83,84) In December 2018, the World Bank published a report of the policy advancements and found that Haiti had satisfactorily completed all benchmarks. (42)

During the reporting period, the government did not approve the National Action Plan to Combat Child Labor, drafted in 2014. (17,55) In addition, reports indicate that efforts to implement the National Action Plan to Combat Trafficking in Persons have been slowed by high-level staff turnover at MAST and insufficient allocation of resources. (10,70,71,85) Research was unable to determine whether activities were undertaken to implement the National Child Protection Policy and the National Strategic Development Plan during the reporting period. (41)

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 with regard to the adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Protecting the Working Conditions of People/ <i>Proteje Kondisyon Travay Moun</i> (PWOKONTRAM) (2013–2019)	\$9.99 million USDOL-funded project implemented by Catholic Relief Services to provide services to households and children engaged in or at risk of engaging in child labor or other exploitative working conditions in agriculture. (39,86) The project reached roughly 7,343 children with educational services and 4,946 households to improve their livelihoods. In addition, the project supports the capacity of the Haitian Civil Registrar system to legally document more than 3,100 individuals. (87,88) In 2018, provided educational services to 1,547 children. (87,88) Additional information is available on the USDOL website.
National Free Education Program (PSUGO)†	Government program to increase poor children's access to education. Includes school grants intended to eliminate school fees and accelerated learning programs for students who are lagging in school. (74) In 2018, worked with the World Bank to pilot a sustainable data collection strategy to track student progress for primary non-public schools. (71)
UNICEF Country Program (2017–2021)	\$24 million UNICEF-funded program supporting the government's efforts to improve education, health, social inclusion, and protection for children in Haiti. In 2018, provided 22,000 children with school supplies. (92-97)
Government Child Shelter, Census, and National Child Protection Database‡	Government program to support child protection. Through IBESR, implements the government's regulatory framework for residential care centers (e.g., orphanages and shelters), collects information on vulnerable children, and tracks them through the National Child Protection Database. (97) Has identified almost 30,000 children residing in 770 shelters nationwide. (10) In 2018, the IBESR announced that it intends to close 398 orphanages that fail to meet the basic standards of care for children or which have been found to subject children to the worst forms of child labor if they do not take measures to become compliant with basic standards by July 2019. IBESR is promoting child fostering as an alternative to institutional care. (23-25)
Providing an Education of Quality in Haiti (2016–2022)	\$30 million World Bank-implemented program that aims to strengthen public management of the education sector, improve learning conditions, and increase enrollment of students in selected public and non-public primary schools. (98,99) In 2018, provided community education grants to 8,546 primary school students. (100)

† Program is funded by the Government of Haiti.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (91,101,102)

Despite IBESR's efforts to collect information for the National Child Protection Database, it does not fully capture all relevant information, including the number of displaced street children and children engaged in domestic work. Although Haiti has programs that target the worst forms of child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in domestic work, agriculture, and child trafficking. (10,103)

MINIMAL ADVANCEMENT

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 Haiti (Table I I).

Table I I. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age protections apply to children in informal employment arrangements.	2014 – 2018
	Establish by law a compulsory education age equal to the minimum age for work.	2017 – 2018
	Clarify the minimum age for work, including for domestic work.	2009 – 2018
	Adopt a list of hazardous occupations and activities, and ensure that the hazardous occupations and activities prohibited for children are comprehensive and include work in hazardous agricultural environments.	2009 – 2018
	Ensure that the law establishes a minimum age for voluntary recruitment by the state military at 18 or at 16 with safeguards for voluntariness.	2018
Enforcement	Publish information on labor inspectorate funding, the number of labor inspectors and whether labor inspectors received adequate training, the number and type of labor inspections, violations and penalties related to child labor.	2013 – 2018
	Create meaningful penalties for employing children in contravention of the Labor Code.	2009 – 2018
	Ensure that the number of labor and criminal law enforcement agents and training and resources for labor and criminal enforcement agencies are sufficient to adequately enforce laws related to child labor, including its worst forms.	2013 – 2018
	Authorize the inspectorate to assess penalties.	2013 – 2018
	Strengthen enforcement capacity of the Ministry of Social Affairs and Labor and the Institute of Social Welfare and Research by initiating targeted child protection inspections, rather than by performing inspections based solely on complaints received.	2013 – 2018
	Expand the hotlines operated by the Brigade for the Protection of Minors and the Institute of Social Welfare and Research to facilitate reporting of child exploitation cases in areas beyond Port-au-Prince, including in rural areas; publish information related to the number of calls related to child labor.	2013 – 2018
Coordination	Ensure that the National Tripartite Commission for the Elimination of the Worst Forms of Child Labor meets regularly and takes action to fulfill its mission.	2017 – 2018
Government Policies	Approve the National Action Plan to Combat Child Labor.	2016 – 2018
	Ensure that appropriate funding exists to effectively implement the National Action Plan to Combat Trafficking in Persons.	2016 – 2018
	Provide information and ensure implementation of the National Child Protection Policy and the National Strategic Development Plan.	2017 – 2018
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children by removing school-related fees in public schools; increase the number of schools and teachers, especially in rural areas and camps near the border with the Dominican Republic; ensure that public schools offer instruction in both French and Haitian Creole; meet the specific educational needs of vulnerable populations, including recent arrivals from the Dominican Republic; and ensure children who start their education late or repeat grades are allowed to transition to secondary school.	2009 – 2018
	Expand the National Child Protection Database, including by identifying displaced street children and children in domestic work.	2010 – 2018
	Expand existing social programs to address the scope of the child labor problem, particularly in domestic work, agriculture, and child trafficking.	2010 – 2018

References

- Catholic Relief Services. Rapid Child Labor Assessment. April 2015. Source on file.
- UN Human Rights Committee. The Plight of Restavèk (Child Domestic Servants). September 12, 2014. http://www.ijdh.org/wp-content/uploads/2014/09/HRC_Restavek-Sept-12.pdf.
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Haiti (ratification: 2007). Published: 2016. Accessed November 1, 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3253455,102671,Haiti,2015.
- UN Committee on the Rights of the Child. Concluding observations on the combined second and third periodic reports of Haiti. Geneva, February 24, 2016. CRC/C/HTI/CO/2-3. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/035/15/PDF/G1603515.pdf?OpenElement>.

- 5 U.S. Department of State. Trafficking in Person Report- 2017: Haiti. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/haiti/>
- 6 U.S. Embassy- Haiti. Reporting. April 2, 2018.
- 7 Catholic Relief Services. Baseline Study on Child Labor (Draft Report). June 2016. Source on file.
- 8 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed January 4, 2018. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 9 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Enquête Mortalité Morbidité et Utilisation des Services, 2012. Analysis received January 12, 2018. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 10 U.S. Embassy- Haiti. Reporting. February 13, 2018.
- 11 Agence France-Presse. Tourist trinkets crafted by Haiti's child artisans. Breitbart.com. May 1, 2016. <http://www.breitbart.com/news/tourist-trinkets-crafted-by-haitis-child-artisans/>.
- 12 Better Work Port-au-Prince official. Email communication to USDOL official. April 20, 2018.
- 13 Valmond, Fabienne. Restavèk: The Life of Haiti's Most Vulnerable Population and the Fight against Child Trafficking [Masters thesis] - George Mason University. 2015. <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.884.5595&rep=rep1&type=pdf>.
- 14 Somerfelt, Tone. Child Fosterage and Child Domestic Workers in Haiti in 2014. Fafo. 2015: Analytical Report. <http://www.fafo.no/images/pub/2015/20559-web.pdf>.
- 15 Gupta, Varsha. Child Labor in Haiti - How it came about and what is its nature? Haiti now. Accessed April 29, 2017. <https://www.haiti-now.org/child-labor-haiti/>.
- 16 U.S. Embassy- Haiti. Reporting. February 8, 2016
- 17 U.S. Embassy- Port-au-Prince. Reporting. February 12, 2019.
- 18 Walk Free Foundation. The Global Slavery Index- 2014: Haiti Washington, DC., 2014. http://reporterbrasil.org.br/wp-content/uploads/2014/11/GlobalSlavery_2014_LR-FINAL.pdf.
- 19 Balmir, Stéphanie. Prostitution infantile: Renforcement du cercle vicieux de la misère. Pétion-Ville: Le National. May 22, 2015. <http://lenational.ht/haitiprostitution-infantile-renforcement-du-cercle-vicieux-de-la-misere/>.
- 20 Agence France-Presse. Haiti: Dozens rescued, 12 arrested in human trafficking ring. February 6, 2017. Source on file.
- 21 U.S. Embassy- Port-au-Prince. Reporting. March 15, 2019.
- 22 Nofi. « Restavèks », les enfants esclaves d'Haiti. February 10, 2017. <https://nofi.fr/2017/02/restaveks-enfants-esclaves-dhaiti/35826>.
- 23 Honolulu Star-Advertiser. Haiti grapples with task of helping its vulnerable children. July 26, 2018. <https://www.staradvertiser.com/2018/07/26/breaking-news/haiti-grapples-with-task-of-helping-its-vulnerable-children/>.
- 24 Cohen, Lisa. How traffickers exploit children in Haiti's orphanages. CNN.com, March 2, 2018. <https://www.cnn.com/2017/11/20/health/haiti-orphanages/index.html>.
- 25 Le Nouvelliste. Seulement 35 des 754 orphelinats sont autorisés à fonctionner. October 11, 2018. <https://lenouvelliste.com/article/193750/seulement-35-des-754-orphelinats-sont-autorises-a-fonctionner>.
- 26 Human Rights Watch. World Report 2017: Haiti. New York, January 2017. https://www.hrw.org/sites/default/files/haiti_1.pdf.
- 27 U.S. Embassy- Haiti. Reporting. February 9, 2017.
- 28 IOM Haiti. Border Monitoring Sit-Rep. December 29, 2016. http://reliefweb.int/sites/reliefweb.int/files/resources/border_monitoring_sitrep_lxxv.pdf
- 29 Amnesty International. "Where are we going to live?" Migration and Statelessness in Haiti and the Dominican Republic. June 15, 2016. <https://www.amnesty.org/en/documents/amr36/4105/2016/en/iciHaiti>. DR: Expulsions continue without respite. March 3, 2019. <https://www.icihaiti.com/en/news-27105-icihaiti-dr-expulsions-continue-without-respite.html>.
- 31 UN Human Rights Committee. Concluding observations on the sixth periodic report of the Dominican Republic November 27, 2017: CCPR/C/DOM/CO/6. https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/DOM/CO/6&Lang=En.
- 32 IOM Haiti. IOM Haiti Border Monitoring Situation Report: Tracking Returnees from the Dominican Republic September 28, 2017. <https://reliefweb.int/report/haiti/iom-haiti-border-monitoring-situation-report-tracking-returnees-dominican-republic>.
- 33 U.S. Department of State. Country Reports on Human Rights Practices- 2016: Dominican Republic. Washington, DC. March 03, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/haiti/>
- 34 Fendt, Lindsay. 'I Came Here With Nothing': Life in Limbo for Unwilling Migrants on Haiti's Border. The Guardian, May 12, 2016. <https://www.theguardian.com/global-development/2016/may/12/haiti-dominican-republic-migrants-makeshift-camp>.
- 35 UN Human Rights Council. Report of the Independent Expert on the situation of human rights in Haiti - Note by the Secretariat. March 8, 2017. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/053/59/PDF/G1705359.pdf?OpenElement>.
- 36 Government of the Republic of Haiti. Constitution of Haiti. Enacted: 1987. <http://pdba.georgetown.edu/constitutions/haiti/haiti1987.html>
- 37 Government of the Republic of Haiti. Decret Organisant le Systeme Educatif Haitien en Vue D'offrir des chances egales a tous et de Refleter la Culture Haitienne. Enacted: March 30, 1982. <http://ufdc.ufl.edu/AA00000092/00001/3j>.
- 38 U.S. Embassy Haiti official. Email communication to USDOL official. November 14, 2014.
- 39 Catholic Relief Services. Technical Progress Report. Port-au-Prince, October 2016. Source on file.
- 40 Felicien, Marie Michelle. Haiti Bans Overage Students From Secondary Education, but One School Has a Solution. Global Press Journal, August 13, 2018. <https://globalpressjournal.com/americas/haiti/haiti-bans-orage-students-secondary-education-one-school-solution/>.
- 41 U.S. Embassy- Port-au-Prince. Reporting. March 6, 2019.
- 42 World Bank. Implementation and Results Report: Haiti -Education for All - Phase II December 28, 2018. <http://documents.worldbank.org/curated/en/897111547132546193/pdf/icr00004083-01072019-636826680424945096.pdf>
- 43 USAID Port-au-Prince official. Email communication to USDOL official. March 8, 2019.
- 44 World Bank. Four Things You Need to Know About Education in Haiti. March 12, 2015. <http://www.worldbank.org/en/news/feature/2015/03/12/four-things-you-need-to-know-about-education-in-haiti>.
- 45 Government of the Republic of Haiti. Loi portant organisation et réglementation du travail sure la durée de vingt-quatre heures répartie en trois tranches de huit heures. September 21, 2017. Source on file.
- 46 Government of the Republic of Haiti. Code du Travail. Enacted: 1984. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/135/98545/F1595767852/HTI-135.pdf>.

MINIMAL ADVANCEMENT

- 47 Government of the Republic 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. Enacted: June 5, 2003. Source on file.
- 48 Government of the Republic of Haiti Loi sur la Lutte contre la Traite des Personnes, Loi No CL/2014-0010. Enacted: June 02, 2014. Source on file.
- 49 Government of the Republic of Haiti. Code Pénal. Enacted: 1985. http://www.oas.org/juridico/mla/fr/hti/fr_hti_penal.pdf.
- 50 ILO CEACR. Direct Request concerning Minimum Age Convention, 1973 (No. 138) - Haiti (Ratification: 2009). Published: 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:3963306.
- 51 Government of the Republic of Haiti. DRAFT- Hazardous List of Work for Children. 2014. Source on file.
- 52 ILO Port-au-Prince official. Email communication to USDOL official. January 06, 2017.
- 53 Government of the Republic of Haiti. Loi relative au controle et la repression du trafic illicite de la drogue. Le Moniteur. October 4, 2001. http://haitijustice.com/pdf/legislation/trafic_illicite_stupefiants_haiti.pdf.
- 54 Balmir, Stéphanie. Vers une réponse pour l'élimination du travail des enfants en Haiti. Le National. February 22, 2016. <http://www.lenational.org/vers-reponse-lelimination-travail-enfants-haiti/>.
- 55 ILO CEACR. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) - Haiti (Ratification: 2007). Published: 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:3963434:NO.
- 56 Reuters. Haitian army set to make controversial return after two decades. November 18, 2017. <https://www.reuters.com/article/us-haiti-military/haitian-army-set-to-make-controversial-return-after-two-decades-idUSKBN1DJ01M>.
- 57 U.S. Embassy Port-au-Prince official. Email communication to USDOL official. June 17, 2019.
- 58 Ministère de la Défense. Avis de recrutement d'une classe de soldats. Website, Accessed July 12, 2019. <https://md.gouv.ht/actu10.php>.
- 59 U.S. Embassy Port-au-Prince official. Email communication to USDOL official. May 15, 2017.
- 60 Government of Haiti official. Email communication to USDOL official. April 10, 2014.
- 61 Loop Haiti. POLIFRONT: Haiti surveille désormais la frontière haïtiano-dominicaine. February 23, 2018. <http://www.loophaiti.com/content/polifront-haiti-surveille-desormais-la-frontiere-haitiano-dominicaine>.
- 62 Haiti24.net. Haiti-Sécurité : POLIFRONT, une nouvelle entité de la PNH contrôle la frontière. December 28, 2017. <http://haiti24.net/haiti-securite-polifront-une-nouvelle-entite-de-la-pnh-controle-la-frontiere/>.
- 63 U.S. Embassy in Haiti. U.S. Ambassador Highlights U.S. Government Partnership with Haiti in the Northeast. August 14, 2018. <https://ht.usembassy.gov/u-s-ambassador-highlights-u-s-government-partnership-with-haiti-in-the-northeast/>.
- 64 IOM. IOM, Humanitarian Partners Assist Vulnerable Haitian Migrants. March 9, 2018. <https://www.iom.int/news/iom-humanitarian-partners-assist-vulnerable-haitian-migrants>.
- 65 U.S. Embassy Port-au-Prince official. Email communication to USDOL official. June 26, 2019.
- 66 ILO. Building capacities of the MAST to ensure labor law compliance in the Haitian apparel sector. Final Progress Report, March 30, 2018. Source on file.
- 67 U.S. Embassy- Haiti Reporting. January 23, 2015.
- 68 ILO Committee of Experts. Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Haiti (ratification: 1952). Published: 2017. Accessed October 20, 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:3295579:YES.
- 69 UN Human Rights Council. Report of the Working Group on the Universal Periodic Review - Haiti - Addendum - Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review. March 13, 2017. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/055/81/PDF/G1705581.pdf?OpenElement>
- 70 U.S. Department of State. Trafficking in Person Report- 2018: Haiti. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/haiti/>
- 71 World Bank. Haiti Statistical Capacity Building in Education Grant (P161160). 2019: Implementation Status & Results Report. <http://documents.worldbank.org/curated/en/276911553733661162/pdf/Disclosable-Version-of-the-ISR-Haiti-Statistical-Capacity-Building-in-Education-Grant-P161160-Sequence-No-02.pdf>.
- 72 Haiti Libre. Graduation de la 2ème Promotion de la police frontalière. December 29, 2018. <https://www.haitilibre.com/article-26525-haiti-securite-graduation-de-la-2eme-promotion-de-la-police-frontaliere.html>.
- 73 U.S. Embassy- Haiti. Reporting. February 2, 2016.
- 74 U.S. Embassy Haiti official. Email communication to USDOL official. May 22, 2014.
- 75 National Commission for the Elimination of the Worst Forms of Child Labor. DRAFT: National Action Plan to Combat Child Labor. June 19, 2014. Source on file.
- 76 ILO Committee of Experts. Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Haiti (ratification: 1958) Published: 2016. Accessed November 1, 2016. <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO:::>
- 77 Government of the Republic of Haiti. Groupe de Travail Protection de l'Enfance Niveau National- Termes de Reference. 2014. Source on file.
- 78 UNICEF official. Email communication to USDOL official. December 17, 2014.
- 79 Institut du Bien-Être Social et de Recherches (IBESR). Stratégie Nationale de Protection de l'Enfant. September 2015. http://pdf.usaid.gov/pdf_docs/PA00M2GJ.pdf.
- 80 Mulheir, G., et al. Orphanage Entrepreneurs: The trafficking of Haiti's invisible children. London: Lumos. January 7, 2017. <https://www.wearelumos.org/resources/orphanage-entrepreneurs-trafficking-haitis-invisible-children/>.
- 81 Government of the Republic of Haiti. Plan Stratégique de Développement d'Haïti (PSDH). Port-au-Prince. June 2012. http://www.ht.undp.org/content/dam/haiti/docs/Gouvernance-democratique-et-etat-de-droit/UNDP_HT_PLAN_STRATEGIQUE-de-developpement-Haiti_tome1.pdf.
- 82 IMF. Haiti: Poverty Reduction Strategy Paper- Progress Report. Washington, DC. , June 2013. <https://www.imf.org/external/pubs/ft/scr/2014/cr14154.pdf>.
- 83 World Bank. Education for All- Implementation Status Results Report. July 15, 2015. http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/PCR/2015/07/15/090224b082ff8bae/1_0/Rendered/PDF/Haiti000Haiti000Report000Sequence007.pdf.
- 84 World Bank. Haiti - Education for All Project - Phase II. Accessed December 1, 2015. <http://www.worldbank.org/projects/P124134/education-all-project-support-second-phase-education-all-program?lang=en>.
- 85 Le National. Traite des personnes: Ely Thélot quitte le CNLTP. December 12, 2018. http://lenational.org/post_free.php?elif=1_CONTENTUE/actualitees&rebmun=4726
- 86 U.S. Department of Labor. Project to Reduce Child Labor and Improve Labor Rights and Working Conditions in Haiti - Let's Work For Our Rights. 2013. Source on file.
- 87 Catholic Relief Services. Haiti "Let's Work for our Rights" Project. January 2019: Technical Progress Report. Source on file.

- 88 Catholic Relief Services. Haiti “Let’s Work for our Rights” Project. October 2018: Technical Progress Report. Source on file.
- 89 ILO-IPEC Geneva official. Email communication to USDOL official. January 9, 2017.
- 90 ILO. Combat child labour in domestic work and the worst forms in Haiti- Final independent evaluation. 2017.
http://www.ilo.org/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_570375.pdf.
- 91 Catholic Relief Services. Technical Progress Report. Port-au-Prince, October 2015. Source on file.
- 92 UN Economic and Social Council. Country Programme Haiti. December 22, 2016: E/ICEF/2017/P/L.2
https://www.unicef.org/about/execboard/files/2016-PL2-Haiti_CPD-ODS-EN.pdf.
- 93 UNICEF. Hurricane Matthew three months on: Life for Haiti’s children. January 9, 2017.
https://www.unicef.org/wash/haiti_94377.html
- 94 U.S. Embassy- Port-au-Prince. Reporting. October 11, 2018.
- 95 UNICEF. Haiti- Annual Report 2017.
https://www.unicef.org/about/annualreport/files/Haiti_2017_COAR.pdf.
- 96 Morin, Karine. Mettre fin au travail des enfants en Haïti. UNICEF Canada, February 24, 2017.
<https://www.unicef.ca/fr/blog/mettre-fin-au-travail-des-enfants-en-haiti>.
- 97 UNICEF. Haiti Humanitarian Situation Report, Mid-Year 2018. June 30, 2018.
https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF_Haiti_Humanitarian_Situation_Report_Mid-Year_2018.pdf.
- 98 World Bank. Providing an Education of Quality in Haiti Project- Project Appraisal Document. October 27, 2016.
<http://documents.worldbank.org/curated/en/984991478263758814/pdf/1478263764434-000A10458-PAD-10282016.pdf>.
- 99 World Bank. Providing an Education of Quality in Haiti (PEQH) (P155191). August 10, 2017: Implementation Status & Results Report - Sequence 02
<http://documents.worldbank.org/curated/en/647071502404387101/pdf/ISR-Disclosable-P155191-08-10-2017-1502404378346.pdf>.
- 100 World Bank. Providing an Education of Quality in Haiti (PEQH) (P155191). 2019: Implementation Status & Results Report.
<http://documents.worldbank.org/curated/en/877801541003968957/pdf/Disclosable-Version-of-the-ISR-Providing-an-Education-of-Quality-in-Haiti-PEQH-P155191-Sequence-No-04.pdf>.
- 101 Lamaute-Brisson, Nathalie. Promotion et protection sociale de l’enfance et de l’adolescence en Haïti. Port of Spain: UN Economic Commission for Latin America and the Caribbean. 2015.
http://repositorio.cepal.org/bitstream/handle/11362/37776/S1420892_fr.pdf.
- 102 Scaling Up Nutrition (SUN). Haiti Signaled its Commitment to Join the SUN Movement on 11 June 2012. Accessed May 15, 2014.
<http://scalingupnutrition.org/sun-countries/haiti>.
- 103 American Institutes for Research. Alliance pour la Protection des Enfants- Haiti. 2017.
<http://www.air.org/project/alliance-pour-la-protection-des-enfants-haiti>

In 2018, Honduras made a moderate advancement in efforts to eliminate the worst forms of child labor.

The National Congress approved a new penal code that updates penalties for human trafficking. The Secretariat of Labor and Social Security (STSS) also released a new national strategy for its labor inspectorate, and the Inter-agency Commission against Commercial Sexual Exploitation and Trafficking in Persons obtained administrative and budget autonomy. As part of implementing its Roadmap to Eliminate Child Labor, Honduras

installed a National Council for Youth and Adolescents, and the country became only the second in Central America to join the Regional Action Group for the Americas against the Sexual Exploitation of Girls, Boys and Adolescents in Tourism Travel. Although the government made meaningful efforts in all relevant areas during the reporting period, it did not provide information about criminal law enforcement efforts related to the worst forms of child labor, limiting the ability to assess the adequacy of its criminal enforcement. Children in Honduras engage in the worst forms of child labor, including in commercial sexual exploitation as a result of human trafficking and recruitment by gangs into illicit activities. Children also engage in child labor in agriculture. Labor and criminal law enforcement agencies experience financial and human resource challenges that may hinder adequate law enforcement. In addition, the government's social programs that address child labor in agriculture do not appear sufficient to address the scope of the problem nationwide, and the government lacks social programs to eliminate child labor in other dangerous activities, such as fishing, mining, and domestic work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Honduras engage in the worst forms of child labor, including in commercial sexual exploitation as a result of human trafficking and in agriculture. (1-3) Table 1 provides key indicators on children's work and education in Honduras.

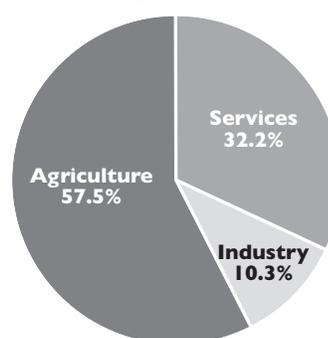
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	8.6 (158,891)
Attending School (%)	5 to 14	87.7
Combining Work and School (%)	7 to 14	6.1
Primary Completion Rate (%)		84.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (4)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Permanente de Hogares de Propósitos Múltiples (EPHPM), 2014. (5)

Figure 1. Working Children by Sector, Ages 5-14



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 melon, coffee, sugarcane, and okra (6-10)
	Harvesting mollusks† (11,12)
	Fishing, including working as divers' assistants,† and diving for lobster† (2,13)
Industry	Quarrying limestone† and production of lime† (14)
	Artisanal mining† (6,15-17)

Honduras

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Production and sale of fireworks† (18-22)
	Construction,† activities unknown (1,2,9,23,24)
Services	Street begging and vending, including dangerous street performances for tips† (1,20,23,25,26)
	Work in repair shops,† including in mechanical repair† (23,27)
	Scavenging in garbage dumps† (6,26,29,30)
	Work in hotels and laundromats, activities unknown (23,26)
	Domestic work† (6,9,26,28)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking (28,31-33)
	Forced begging (20,31,34)
	Use in illicit activities, including by gangs in committing homicides, extortion, and selling and trafficking drugs (1,20,24,31,35,36)

† 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.

Honduras’ National Statistics Institute reported that 404,642 children between the ages of 5 and 17 worked in 2018. (1) Reports indicate that 20 percent of the Honduran population is of indigenous or African descent and that children from these groups are particularly vulnerable to child labor, including its worst forms. (1,32,35,37,38) Children who lack economic and educational opportunities are the most vulnerable and are also among the most likely to migrate to other countries. Once en route, they are also vulnerable to human trafficking and commercial sexual exploitation. (32,33,39,40)

In Honduras, access to education is often limited and some reports indicate that approximately 220,000 children between the ages of 5 and 17 lack access to the educational system. More than 75 percent of these children live in rural areas, where lack of funding for schools, and in many cases, lack of any secondary schools, remain a problem. (1,36) However, one NGO reported that some 1.5 million children around the country lacked access to education in 2018. Limited infrastructure and violence originating from gang activity also present barriers to access for both children and educators. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Honduras 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 Honduras’ legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work compared to the compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 120 of the Code on Childhood and Adolescence; Article 15 of the Executive Agreement STSS-211-01; Article 32 of the Labor Code (41-43)
Minimum Age for Hazardous Work	Yes	18	Articles 1 and 122 of the Code on Childhood and Adolescence; Articles 2 and 10 of the Executive Agreement STSS211-01; Article 1 of the Executive Agreement STSS-441-2016 (41,42,44)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of the Executive Agreement STSS-441-2016; Article 8 of the Executive Agreement STSS211-01 (41,44)
Prohibition of Forced Labor	Yes		Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Articles 2 and 10 of the Executive Agreement STSS211-01; Articles 179E, 179F, and 192 of the Penal Code (41,45,46)
Prohibition of Child Trafficking	Yes		Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Articles 2 and 10 of the Executive Agreement STSS211-01; Article 8 of the Legislative Decree 35-2013 (41,45,47)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 134 of the Code on Childhood and Adolescence; Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Articles 2 and 10 of the Executive Agreement STSS211-01; Articles 148 and 149A-E of the Penal Code (41,42,45,46)
Prohibition of Using Children in Illicit Activities	Yes		Article 134 of the Code on Childhood and Adolescence; Article 10 of the Executive Agreement STSS211-01; Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Article 8 of the Legislative Decree 35-2013 (41,42,45,47)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 2 and 12 of the Executive Agreement STSS211-01 (41)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 2 and 10 of the Executive Agreement STSS211-01 (41)
Compulsory Education Age	Yes	17	Articles 8, 13, and 21–23 of the Fundamental Law of Education; Articles 36 and 39 of the Code on Childhood and Adolescence (42,48)
Free Public Education	Yes		Articles 7, 13, and 21–23 of the Fundamental Law of Education; Article 36 of the Code on Childhood and Adolescence; Article 171 of the Constitution (42,48,49)

* No conscription (41)

In January 2018, Honduras' National Congress approved a new penal code that is scheduled to take effect in November 2019. (3,50) Article 9 of the new law enables the application of criminal penalties under Honduran law against any individual who comes under Honduran jurisdiction for committing a range of crimes in any territory, including for human trafficking. (51)

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.

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 Secretariat of Labor and Social Security (STSS) that may hinder adequate enforcement of their child labor laws.

Honduras

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Secretariat of Labor and Social Security (STSS)	Conducts labor inspections and enforces child labor laws through the General Directorate for Labor Inspections. (52)
Public Ministry's Office of the Special Prosecutor for Children (OSPC)	Prosecutes crimes against children, including trafficking of children, hazardous labor, forced labor, and commercial sexual exploitation. Coordinates with Honduran National Police to investigate crimes and protect victims. (24,53)
Public Ministry's Technical Agency for Criminal Investigations (ATIC)	Investigates and technically supports criminal prosecutions conducted by the Public Ministry, including by the OSPC, such as those related to human trafficking, commercial sexual exploitation, and child pornography. (15,20,24)
Prosecutorial Task Force to Combat Criminal Smuggling of Unaccompanied Children and Trafficking in Persons	Investigates and prosecutes criminal organizations that engage in the illegal smuggling of unaccompanied children and human trafficking. Overseen by the Special Prosecutor Against Organized Crime and the Special Prosecutor for Children. (34,54)
Directorate of Childhood, Adolescence, and Family (DINAF)	Formulates, coordinates, and implements national plans concerning children and their families; monitors children's rights, including by investigating complaints of child labor and ensuring that victims receive government services; and coordinates state efforts with civil society institutions to protect children. Overseen by the Secretariat of Development and Social Inclusion. (20,55-57)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Honduras took actions to combat child labor (Table 6). However, gaps exist within the operations of the STSS that may hinder adequate labor law enforcement, including human resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	\$3,300,000 (1)
Number of Labor Inspectors	140 (40)	169 (1)
Inspectorate Authorized to Assess Penalties	Yes (58)	Yes (1)
Initial Training for New Labor Inspectors	Unknown	Yes (1)
Training on New Laws Related to Child Labor	Yes (59)	Yes (1)
Refresher Courses Provided	Yes (59)	Yes (1)
Number of Labor Inspections Conducted	32,268 (60)	25,546 (1)
Number Conducted at Worksite	32,268 (60)	4,300 (1)
Number of Child Labor Violations Found	12 (60)	2 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	12 (60)	0 (1)
Number of Child Labor Penalties Imposed that Were Collected	0 (60)	0 (1)
Routine Inspections Conducted	Yes (61)	Yes (1)
Routine Inspections Targeted	Yes (61)	No (1)
Unannounced Inspections Permitted	Yes (61)	Yes (1)
Unannounced Inspections Conducted	Yes (61)	Yes (1)
Complaint Mechanism Exists	Yes (61)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (36)	No (1)

In 2018, Honduras released a new national strategy for the General Directorate for Labor Inspections that re-envisioned the entire inspection process, primarily by consolidating all inspection duties under the labor inspectorate. (62) In addition, the labor inspectorate was provided additional resources for transportation, fuel, and other necessities during the reporting period. (1) Nonetheless, labor union confederations, employer organizations, and human rights organizations have indicated that the level of funding and resources for the General Directorate for Labor Inspections is insufficient to enforce child labor laws nationwide. (1,36) Furthermore, revisions to the administrative procedures for measuring the performance of the labor inspectorate resulted in a significant drop in the number of worksite inspections conducted in 2018. (63)

The number of labor inspectors is likely insufficient for the size of Honduras' workforce, which includes over 3.7 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Honduras would employ about 249 labor inspectors. Furthermore, the ratio of inspectors to number of inspections suggests that each inspector conducted 151 inspections during the year, which is a high number and may impact the quality of inspections. (1,64,65)

While STSS encountered 2 cases of child labor in 2018, the Directorate of Childhood, Adolescence, and Family (DINAF) reported removing 97 children from child labor and providing all of these children with social services. (1) During the reporting period, inspections were carried out across a myriad of sectors but did not include businesses in the informal sector, even though children in Honduras are known to work in this sector. STSS and civil society partners have all indicated that the number of inspections conducted is insufficient to address the scope of labor violations in the country, including child labor violations. (1,36,61) In particular, reports indicate that the STSS conducts most inspections in the urban areas of Tegucigalpa and San Pedro Sula, while rural areas and indigenous communities, in which hazardous activities in agriculture and fishing or diving are concentrated, have had insufficient inspections to address the scope of the problem. (28,37,66)

NGOs report that STSS procedures for responding to child labor complaints are often not followed, largely due to institutional weaknesses and a lack of resources. (20) Furthermore, there does not appear to be an adequate mechanism for the STSS and DINAF to refer cases of child labor to each other, and reports also indicate that DINAF lacks sufficient resources to effectively carry out its mandates. (20,24,36)

In 2018, only 40 inspectors received refresher training on child labor and/or hazardous child labor. The STSS indicated the training provided during the reporting period was insufficient. (1,63)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Honduras 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 financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown
Refresher Courses Provided	Unknown	Unknown
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (57)	No (1)

Two individuals were sentenced by the Supreme Court of Justice in 2018 on child pornography charges. (3) However, reports indicate that the level of funding and resources available to criminal law enforcement agencies is insufficient to meet agency needs. (57)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Honduras

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
National Commission for the Gradual and Progressive Eradication of Child Labor	Coordinates government policies and efforts on child labor issues. Chaired by STSS and includes officials from eight government ministries, DINAf, the Supreme Court, and other government entities. (52,67,68) Oversees regional sub-commissions, led by STSS and DINAf officials, which implement national efforts at the local level. (52,67,68) During the reporting period, the National Commission did not hold any meetings. However, the Commission's technical council held two meetings to review actions taken by various sectors to combat child labor. (1)
Inter-Institutional Commission Against Exploitation and Commercial Sex Trafficking (CICESCT)	Prevents, tends to the victims of, and prosecutes crimes of sexual exploitation and trafficking in persons. Comprising representatives from 35 organizations, including several government ministries, NGOs, and private companies. (69) Oversees 19 local CICESCT committees and implements the Strategic Plan to Combat Commercial Sexual Exploitation and Human Trafficking. (35) In 2018, CICESCT achieved budget and administrative autonomy and was relocated under the Ministry of Human Rights. (3,69)
Migration Task Force*	Convenes several government ministries to collaborate on addressing irregular migration, including combating the risks associated with trafficking in persons. Initiated in 2018 and chaired by Honduras' First Lady Ana Garcia de Hernandez. (3)
Secretariat of Social Development and Inclusion (SEDIS)	Coordinates social protection policies and the provision of services to vulnerable populations. (70) SEDIS indicated that in 2018 it had invested over 60,000 USD in the Vida Mejor conditional cash transfer program and had provided services to over 350,000 families across the country. (71)

*Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap for the Eradication of Child Labor in Honduras	Aims to eradicate all forms of child labor by 2020 and to improve the government's response to child labor issues. Works at the national, regional, and sub-regional levels and addresses poverty, health education, and social development. (72,73) Implemented by STSS. (20,72) Held three sessions of the Guarantee System for Rights of Children and Adolescents in Honduras during 2018, including the installation of the National Council for Youth and Adolescents, which is chaired by the Secretariat General of Coordination of Government. (1,74)
Strategic Plan to Prevent and Eliminate Child Labor (2016–2020)	Identifies lines of action for preventing and eliminating child labor, including by increasing child labor law enforcement, strengthening engagement with the private sector, developing procedures for inter-agency coordination, and developing social programs to support children removed from child labor. (68) Implemented by STSS and other executive and judicial branch agencies, and employers', workers', and other civil society organizations. (68) Includes the U.S.-Honduras Labor Rights Monitoring and Action Plan (2015–2018), which aims to improve the enforcement of labor laws, including laws related to child labor, by implementing legal and policy reforms, strengthening STSS, enhancing enforcement activities, and increasing outreach efforts. (75) In 2018, the U.S. and Honduras agreed to extend the action plan into 2019. (3)
Strategic Plan to Combat Commercial Sexual Exploitation and Human Trafficking in Honduras (2016–2022)	Establishes national priorities to combat commercial sexual exploitation and human trafficking in four principal areas: (1) prevention and awareness; (2) investigation, prosecution, and punishment of violations; (3) detection, assistance, and protection of victims; and (4) coordination and cooperation. (76) In 2018, CICESCT held workshops and trainings with NGOs and international donors, and developed and disseminated information materials, including translations for vulnerable Miskito and Garifuna populations. (3)
First Public Policy and National Action Plan on Human Rights	Aims to implement the government's national and international human rights commitments, including those addressing child and forced labor. (24,77) Research was unable to identify relevant activities undertaken to implement this policy during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (78-84)

In 2018, the Colombian and Honduran Ministries of Labor held an exchange to examine best practices for the prevention and elimination of child labor particularly in the coffee sector, and more generally in the agricultural sector. (1,3)

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
Better Life Voucher (Bono Vida Mejor)†	Conditional cash transfer program that aims to reduce poverty by providing financial assistance to households after parents ensure their children participate in health, education, nutrition, and other programs. (40,85) Objectives include the elimination of child labor. (28) In 2018, the Secretaría de Desarrollo e Inclusión (SEDIS) carried out the second phase of the program with cash transfers to nine departments. (86) IDB reported in 2018 that the <i>Bono Vida Mejor</i> program had reduced poverty by 12.2 percentage points in Honduras. (85)
Program for the Reintegration of Returned Unaccompanied Migrant Children†	Government program that assists unaccompanied migrant children who have been returned to Honduras. Implemented by the National Institute for Migration, the Ministry of Foreign Affairs, DINAF, SEDIS, and the National Center for Social Sector Information. (87) In 2018, DINAF sent regional reintegration teams to 10 departments across the country to respond to specific cases of children who returned to the country. (88)
Program to Prevent Sex Tourism Involving Children and Adolescents†	Government program that aims to raise awareness and provide training on sex tourism for the tourism industry. Implemented by the Honduran Tourist Board, the Ministry of Tourism, and the Tourism Institute. (72,89) In 2018, registered 238 companies, each signing a code of conduct for the protection of children and adolescents against commercial sexual exploitation. (3)
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor through technical assistance to businesses, direct services to Honduran youth, and capacity building with the Honduran government. These projects include: \$2 million Addressing Child Labor and Forced Labor in the Coffee Supply Chain in Honduras (2017–2020); \$16.5 million Youth Pathways Central America (2015–2020); and \$8.7 million Bright Futures (2014–2019). During the reporting period, 28 youths from San Juan completed a training course in coffee management, and the project established 10 new youth bank groups to promote and implement youth-led community development projects. (91) Additional information is available on the USDOL website.
USAID-Funded Projects	USAID-funded projects, including Honduran Youth Alliance, which focuses on gang prevention, including for vulnerable youth; Strengthening Capacity to Build a Culture of Peace, which aims to improve citizen security, including for at-risk youth; and Improving Education for Work, Learning, and Success, which aims to increase educational opportunities for youth. (66,92)

† Program is funded by the Government of Honduras.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (24,28)

In 2018, Honduras became only the second Central American country to join the Regional Action Group for the Americas against the Sexual Exploitation of Girls, Boys, and Adolescents in Tourism Travel. (3)

Although the Government of Honduras funds or participates in social programs that aim to eliminate child labor in forced begging, commercial sexual exploitation, and the illegal recruitment of children into gang-related activities, research did not identify programs that specifically target children working in other dangerous activities, such as fishing, mining, and domestic work. In addition, social programs that address child labor in agriculture do not appear to be sufficient to address the scope of the problem nationwide.

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 Honduras (Table 11).

Honduras

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Raise the minimum working age of 14 to conform with the compulsory education age of 17.	2018
	Ensure that agencies such as the Secretariat of Labor and Social Security; the Directorate of Childhood, Adolescence, and Family; the Special Prosecutor for Children; and other criminal and labor enforcement agencies have sufficient funding and resources to address the worst forms of child labor nationwide.	2010 – 2018
	Increase the number of labor inspectors to meet ILO's technical advice and to ensure a sufficient number to carry out quality labor inspections; and conduct a sufficient number of inspections to address the scope of child labor in Honduras.	2010 – 2018
	Follow established procedures for responding to child labor complaints and carrying out labor inspections in areas in which child labor is prevalent, such as rural areas, the informal sector, and indigenous communities where children engage in agriculture and fishing or diving.	2018
	Ensure that all labor inspectors receive training on child labor and make information about the initial training for new criminal investigators publicly available.	2014 – 2018
	Ensure that there is an adequate, reciprocal referral mechanism between the Secretariat of Labor and Social Security and the Directorate of Childhood, Adolescence, and Family for the enforcement of labor laws and the provision of social services for child labor victims.	2014 – 2018
	Publish complete information on criminal law enforcement efforts related to the worst forms of child labor, such as trainings held, number of investigations conducted, and number of convictions.	2015 – 2018
Government Policies	Ensure resources are available for the implementation of the Policy on Human Rights and report on actions taken to carry out the policy during the reporting period.	2018
Social Programs	Increase access to education by increasing funding to schools, building more schools, particularly in rural areas, and enhancing efforts to protect students from gang recruitment and violence.	2014 – 2018
	Expand social programs that address child labor in agriculture and create programs that aim to prevent children from migrating and to eliminate child labor in other dangerous activities, such as fishing, mining, and domestic service.	2009 – 2018
	Ensure social programs reach the children who are most vulnerable to child labor, including children of African descent and indigenous children.	2017 – 2018

REFERENCES

- U.S. Embassy- Tegucigalpa. Reporting. March 11, 2019.
- Instituto Nacional de Estadística. Encuesta de Hogares de Propósitos Múltiples (EPHPM) 2016 Cuadros de Trabajo Infantil. October 20, 2016. <http://170.238.108.227/binhd/RpWebEngine.exe/Portal?BASE=EPH2016&lang=ESP>.
- U.S. Embassy- Tegucigalpa. Reporting (TIP). March 18, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received January 12, 2018. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Casa Alianza. Jornada de capacitación sobre la situación de Violencia contra la niñez y la adolescencia en Honduras. Accessed March 21, 2014. Source on file.
- El Heraldo. Apenas 432 empresas registradas como libres de trabajo infantil. September 9, 2015. <http://www.elheraldo.hn/alfrente/878362-209/apenas-432-empresas-registradas-como-libres-de-trabajo-infantil>.
- U.S. Embassy- Tegucigalpa. Reporting. November 7, 2017.
- UCW. Entendiendo las dinámicas del trabajo infantil en América Central y la República Dominicana. November 2017. Source on file.
- Secretaría de Trabajo y Seguridad Social. Desarrollan taller para erradicar trabajo infantil en Intibucá. March 7, 2017. <http://www.trabajo.gob.hn/desarrollan-taller-para-erradicar-trabajo-infantil-en-intibuca/>.
- El Heraldo. El sostenimiento del hogar recae en niños trabajadores. September 6, 2015. <http://www.elheraldo.hn/alfrente/876927-209/el-sostenimiento-del-hogar-recae-en-niños-trabajadores>.
- El Heraldo. Honduras: Pequeños curileros de San Lorenzo son los niños del fango. September 6, 2015. <http://www.elheraldo.hn/alfrente/876928-209/honduras-pequeños-curileros-de-san-lorenzo-son-los-niños-del-fango>.
- El Heraldo. Hambruna afecta a la población de La Mosquitia. July 9, 2015. <http://www.elheraldo.hn/regionales/857299-218/hambruna-afecta-a-la-población-de-la-mosquitia>.
- El Heraldo. Por 500 lempiras, niños pican piedra durante una semana. September 8, 2015. <http://www.elheraldo.hn/inicio/877454-331/por-500-lempiras-niños-pican-piedra-durante-una-semana>.
- Government of Honduras. Respuesta a Solicitud de Información Sobre Trabajo Infantil y sus Peores Formas en Honduras. January 15, 2015. Source on file.
- El Heraldo. Niños expuestos a morir por el oro. September 9, 2015. <http://www.elheraldo.hn/alfrente/878357-209/niños-expuestos-a-morir-por-el-oro>.
- La Prensa. Cadáveres de los 8 mineros fueron hallados abrazados unos con otros. December 15, 2014. <http://www.laprensa.hn/sucesos/777197-410/cadáveres-de-los-8-mineros-fueron-hallados-abrazados-unos-con-otros>.

- 18 El Heraldo. El 50% de niños coheteros laboran antes de los 8 años. September 8, 2015. <http://www.elheraldo.hn/alfrente/877849-209/el-50-de-niños-coheteros-laboran-antes-de-los-8-años>.
- 19 El Heraldo. Mano de obra infantil en la riesgosa elaboración de cohetes en Copán. September 8, 2015. <http://www.elheraldo.hn/alfrente/877852-209/mano-de-obra-infantil-en-la-riesgosa-elaboración-de-cohetes-en-copán>.
- 20 U.S. Embassy- Tegucigalpa. Reporting. February 29, 2016.
- 21 HCH. Menor de 14 años resultó con serias quemaduras en una fabrica de pólvora en Copán [Previously online]. August 25, 2017 [Accessed December 20, 2017]. Source on file.
- 22 La Tribuna. Madre e hija ingresan quemadas por pólvora al HEU. November 28, 2017. <http://www.latribuna.hn/2017/11/28/madre-e-hija-ingresan-quemadas-polvora-al-heu/>.
- 23 World Vision- Honduras. Diagnóstico de situación de Trabajo Infantil y erradicación de sus peores formas en Honduras. 2015. <http://www.wvi.org/es/DiagnosticoHN>.
- 24 U.S. Embassy- Tegucigalpa. Reporting. January 15, 2015.
- 25 El Heraldo. Honduras: Rescatan a dos menores que eran obligados a mendigar en la capital. October 22, 2016. <http://www.elheraldo.hn/sucesos/1010727-466/honduras-rescatan-a-dos-menores-que-eran-obligados-a-mendigar-en-la>.
- 26 La Tribuna. Casi 400 niños víctimas de trabajo infantil. June 13, 2017. <http://www.latribuna.hn/2017/06/13/casi-400-mil-niños-víctimas-trabajo-infantil/>.
- 27 Associated Press. Poverty, Violence Push Honduran Children to Work. New York Times, December 23, 2014. http://www.nytimes.com/aponline/2014/12/23/world/americas/ap-lt-honduras-child-labor.html?_r=1.
- 28 U.S. Embassy- Tegucigalpa. Reporting. January 18, 2014.
- 29 El Heraldo. Honduras: El cruel mundo de los niños pepenadores en la capital. September 10, 2015. <http://www.elheraldo.hn/alfrente/878801-209/honduras-el-cruel-mundo-de-los-niños-pepenadores-en-la-capital>.
- 30 Secretaría de Trabajo y Seguridad Social. Regional de La Ceiba, realiza operativos para erradicar trabajo infantil March 2017. <http://www.trabajo.gob.hn/regional-de-la-ceiba-realiza-operativos-para-erradicar-trabajo-infantil/>.
- 31 U.S. Department of State. Trafficking in Persons Report- 2016: Honduras. Washington, DC, June 30, 2016. <https://2009-2017.state.gov/tip/rls/tiprpt/countries/2016/258780.htm>.
- 32 Kids in Need of Defense. Neither Security nor Justice: Sexual and Gender-based Violence and Gang Violence in El Salvador, Honduras, and Guatemala. 2017. https://supportkind.org/wp-content/uploads/2017/05/Neither-Security-nor-Justice_SGBV-Gang-Report-FINAL.pdf.
- 33 UN Human Rights Committee. Concluding observations on the second periodic report of Honduras CCPR/C/HND/CO/2 August 22, 2017. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/HND/CO/2&Lang=en.
- 34 U.S. Embassy- Tegucigalpa. Reporting. February 17, 2015.
- 35 U.S. Embassy- Tegucigalpa. Reporting. March 14, 2016.
- 36 U.S. Embassy- Tegucigalpa. Reporting. April 10, 2017.
- 37 ILO Committee of Experts. Individual Direct Request concerning Indigenous and Tribal Peoples Convention, 1989 (No. 169) Honduras (ratification: 1995). Published: 2014. Accessed November 19, 2014. <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>
- 38 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Honduras (ratification: 2001). Published: 2016. Accessed May 4, 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3254466:NO.
- 39 Stinchcomb, Dennis, and Hershberg, Eric. Unaccompanied Migrant Children from Central America: Context, Causes, and Responses. Center for Latin American & Latino Studies. American University, 2014 November. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2524001.
- 40 Government of Honduras. DISCURSO DEL ESTADO DE HONDURAS SEGUNDA INFROME PERIODICO DE HONDURAS ANTE EL COMITE DE DERECHOS HUMANOS 120 PERIODO DE SESION 5 Y 6 DE JULIO July 6, 2017. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT/CCPR/STA/HND/28023&Lang=en.
- 41 Government of Honduras. Acuerdo Ejecutivo No. STSS-211-01, Reglamento sobre Trabajo Infantil en Honduras. Enacted: October 10, 2001. Source on file.
- 42 Government of Honduras. Código de la Niñez y de la Adolescencia, 73-96. Enacted: September 5, 1996. <http://www.paho.org/spanish/ad/fch/ca/derecho27.pdf>.
- 43 Government of Honduras. Código del Trabajo y sus Reformas, No. 189. Enacted: July 15, 1959. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/29076/64849/559HND01.htm#t4>.
- 44 Government of Honduras. Acuerdo No. STSS-441-2016. Enacted: December 7, 2016. Source on file.
- 45 Government of Honduras. Ley Contra la Trata de Personas (Decreto 59-2012). Enacted: July 6, 2012. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/90974/105243/F327431691/HND90974.pdf>.
- 46 Government of Honduras. Código Penal, Decreto 144-83. Enacted: August 23, 1983. <http://www.wipo.int/edocs/lexdocs/laws/es/hn/hn010es.pdf>.
- 47 Government of Honduras. Decreto Legislativo No. 35-2013. Enacted: September 5, 2013. <http://www.lagaceta.hn/>.
- 48 Government of Honduras. Ley Fundamental de Educación, No. 262-2011. Enacted: February 22, 2012. <http://www.tsc.gob.hn/leyes/Ley Fundamental de Educación.pdf>.
- 49 Government of Honduras. Constitución. Enacted: January 11, 1982. <http://pdba.georgetown.edu/Constitutions/Honduras/hond82.html>.
- 50 Orellana, Xiomara. Nuevo Código Penal estrena la detención de fin de semana. Tegucigalpa: La Prensa. May 16, 2019. <https://www.laprensa.hn/honduras/1284778-410/nuevo-codigo-penal-honduras-libertad-expresion-grillete-detendos->
- 51 Government of Honduras. Decree No. 130-2017. January 2018. https://tbinternet.ohchr.org/Treaties/CCPR/Shared Documents/HND/INT_CCPR_FCO_HND_32137_S.pdf
- 52 Government of Honduras. Decreto Ejecutivo PCM-025-2017. Enacted: March 10, 2017. <https://tzibalnaah.unah.edu.hn/bitstream/handle/123456789/5755/20170519.pdf?sequence=2&isAllowed=y>.
- 53 Government of Honduras. Acuerdo FRG-011-2016. May 9, 2016. <https://tzibalnaah.unah.edu.hn/bitstream/handle/123456789/3410/20160509.pdf?sequence=2&isAllowed=y>.
- 54 U.S. Embassy- Tegucigalpa. Reporting. October 15, 2014.
- 55 Government of Honduras. Decreto Ejecutivo PCM-27-2014. Enacted: June 6, 2014. <http://www.secretariaconsejodeministros.gob.hn/sites/decretos/junio/PCM-27-2014-DINAF.pdf>.
- 56 Government of Honduras. Gobierno liquida el IHNFA y crea la DINAF para atender a la niñez y adolescencia. [Press release published via juanorlando.com, previously online]. June 4, 2014 [Accessed November 14, 2014]. Source on file.
- 57 U.S. Embassy- Tegucigalpa. Reporting. March 17, 2017 (TIP).
- 58 Government of Honduras. Decreto num. 178-2016, de 23 de enero de 2017, Ley de Inspección de Trabajo. Enacted: January 23, 2017. http://181.210.31.7/wp-content/uploads/2017/03/IMPRESORAS_20170324_115305.pdf.

Honduras

MODERATE ADVANCEMENT

- 59 World Vision. Futuros Brillantes. Technical Progress Report. October 2017 Source on file.
- 60 U.S. Embassy- Tegucigalpa official. Email communication to USDOL official. May 18, 2018.
- 61 Government of Honduras. Respuesta a Solicitud de Información Sobre Trabajo Infantil y sus Peores Formas en Honduras - Informe y actualización en lo relativo a prevención y retiro de mano de obra infantil en Honduras. December 20, 2016. Source on file.
- 62 Government of Honduras. Estrategia Nacional de Inspeccion del Trabajo. December 2018. Source on file.
- 63 U.S. Embassy- Tegucigalpa. Official Email communication to USDOL official. July 2, 2019.
- 64 CIA. The World Factbook. Accessed March 18, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 65 Banco de Buenas Practicas Sobre Inspección Laboral en Iberoamérica. Honduras.
http://bancoinspeccioniberoamerica.stps.gob.mx/Publico/PublicoFichaContacto.aspx?pais_id=1016.
- 66 U.S. Embassy- Tegucigalpa official. Email communication to USDOL official. May 16, 2017.
- 67 Government of Honduras. Respuesta a Solicitud de Información de USDOL Sobre Trabajo Infantil y sus Peores Formas en Honduras. January 29, 2016. Source on file.
- 68 Government of Honduras. Planificación Estratégica - Honduras 2016–2020: Honduras, un País Libre de Trabajo Infantil y sus Peores Formas. Source on file.
- 69 Government of Honduras. Honduras mantiene compromiso encaminado a la prevención y eliminación de la trata de personas. Secretaria de Derechos Humanos. May 9, 2019.
<https://www.sedh.gob.hn/noticias/340-honduras-mantiene-compromiso-encaminado-a-la-prevencion-y-eliminacion-de-la-trata-de-personas>.
- 70 Government of Honduras--Secretaria de Desarrollo E Inclusion Social. Mision, Vision, Valores, Y Objetivos Estrategicos Institucionales.
<https://sedis.gob.hn/node/3>.
- 71 Radio America Unos L.1,500 millones se pagaron este año en programas bono "Vida Mejor", según SEDIS December 28, 2018
<http://www.radioamerica.hn/l-1500-millones-pagaron-programas-bono-vida-mejor-sedis/>
- 72 United Nations. Report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Najat Maalla M'jid. January 21, 2013: Report No. A/HRC/22/54/Add.2.
<http://www.ohchr.org/EN/Issues/Children/Pages/CountryVisits.aspx>.
- 73 International Labor Organization. Hoja de Ruta para hacer de Honduras un país libre de trabajo infantil y sus peores formas. June 1, 2011. Source on file.
- 74 UNICEF. Gobierno de Honduras, con apoyo de UNICEF, instala Consejo Nacional de Niñez y Adolescencia May 17, 2018.
<https://www.unicef.org/lac/comunicados-prensa/gobierno-de-honduras-con-apoyo-de-unicef-instala-consejo-nacional-de-ninez-y>.
- 75 Government of the United States and the Government of Honduras. Labor Rights Monitoring and Action Plan as Mutually Determined by the Government of the United States and the Government of Honduras. 2015.
https://www.dol.gov/ilab/media/pdf/Honduras_MAP.pdf.
- 76 Government of Honduras. Plan Estratégico contra la Explotación Sexual Comercial y Trata de Personas en Honduras, 2016–2022. 2016. Source on file.
- 77 Government of Honduras. Primera Política Pública en derechos humanos y plan nacional de acción en derechos humanos. 2011.
<https://www.acnur.org/fileadmin/Documentos/BDL/2016/10604.pdf?file=fileadmin/Documentos/BDL/2016/10604>.
- 78 Governments of El Salvador, Guatemala, and Honduras. Plan of the Alliance for Prosperity in the Northern Triangle: A Road Map. September 2014.
<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=39224238>.
- 79 Inter-American Development Bank. Presidentes de El Salvador, Guatemala y Honduras presentan plan de Alianza para Prosperidad en Triángulo Norte. iadb.org. November 14, 2014.
<http://www.iadb.org/es/noticias/comunicados-de-prensa/2014-11-14-presidents-del-triangulo-norte-presentan-plan,10987.html>.
- 80 The White House - Office of the Press Secretary. Fact Sheet: Support for the Alliance for Prosperity in the Northern Triangle. March 3, 2015 [cited March 24, 2015].
<https://www.whitehouse.gov/the-press-office/2015/03/03/fact-sheet-support-alliance-prosperity-northern-triangle>.
- 81 Secretaria de Estado en los Despachos de Justicia y Derechos Humanos. Trabajo Infantil. February 14, 2012. Source on file.
- 82 Government of Honduras. Decreto Ejecutivo PCM-011-2011. Enacted: February 15, 2011.
<https://tzibalnaah.unah.edu.hn/handle/123456789/2105?show=full>.
- 83 Government of Honduras. Decreto Ejecutivo PCM-056-2011. Enacted: August 23, 2011.
<https://tzibalnaah.unah.edu.hn/handle/123456789/1330?show=full>.
- 84 Government of Honduras. Vision de País 2010–2038 y Plan de Nación 2010–2022. 2010. Source on file.
- 85 Navarro, Mayra. Según estudio presentado por el BID: Pobreza se redujo del 71.8% al 59.6% gracias al Bono Vida Mejor Aquí Honduras. May 28, 2018.
<https://aquihonduras.com/2018/05/segun-estudio-presentado-por-el-bid-pobreza-se-redujo-del-71-8-al-59-6-gracias-al-bono-vida-mejor/>
- 86 Hondudiario. Este Martes Inicia Entrega del "Bono Vida Mejor" en 9 Departamentos del País. Tegucigalpa. September 11, 2018.
<https://hondudiario.com/2018/09/11/este-martes-inicia-entrega-del-bono-vida-mejor-en-9-departamentos-del-pais/>
- 87 U.S. Embassy- Tegucigalpa official. Email communication to USDOL official. July 14, 2016.
- 88 Television Nacional de Honduras DINAF conforma equipos para reintegrar a su comunidad. Tegucigalpa. November 22, 2018.
<http://tnh.gob.hn/dinaf-conforma-equipos-para-reintegrar-ninez-migrante-a-su-comunidad/>.
- 89 UNICEF. Código de Conducta para la Protección de Niños, Niñas, y Adolescentes Contra la Explotación Sexual Comercial en el Sector de Viajes y Turismo-Honduras. Source on file.
- 90 U.S. Embassy- Tegucigalpa official. Email communication to USDOL official. May 14, 2015.
- 91 USDOL. Project to Reduce Child Labor and Improve Labor Rights and Working Conditions Futuros Brillantes (Bright Futures), Honduras. Technical Progress Report. October, 2018. Source on file.
- 92 USAID official. Email communication to USDOL official. January 14, 2015.

SIGNIFICANT ADVANCEMENT

In 2018, India made a significant advancement in efforts to eliminate the worst forms of child labor. The government drafted the Trafficking of Persons (Prevent, Protection and Rehabilitation) Bill, which criminalizes and enhances penalties for aggravated forms of trafficking, including trafficking for the purposes of forced labor, bonded labor, and begging. It also established a new task force to implement the Child and Adolescent Labor (Prohibition and Regulation) Act and distributed a new data collection form that requires state governments to annually report to the National Crime Records Bureau specific details of human trafficking cases that occur at the district level. During the reporting period, police and child protection officers in several states conducted raids to rescue children from hazardous child labor and commercial sexual exploitation. In addition, the Government of the National Capital Territory of Delhi issued standard operating procedures for the immediate release of financial assistance to adults and children rescued from bonded labor and drafted a policy to combat human trafficking. However, children in India engage in the worst forms of child labor, including in forced labor producing garments and quarrying stones. Children also perform dangerous tasks in the production of thread and yarn. Hazardous work prohibitions do not include all occupations in which children work in unsafe and unhealthy environments for long periods of time, and penalties for employing children may be insufficient to deter violations.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in India engage in the worst forms of child labor, including in forced labor producing garments and quarrying stones. Children also perform dangerous tasks in the production of thread and yarn. (I-3) Table I provides key indicators on children's work and education in India.

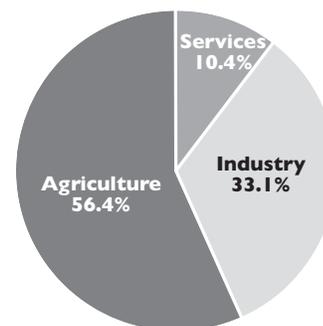
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	1.4 (3,253,202)
Attending School (%)	5 to 14	90.7
Combining Work and School (%)	7 to 14	0.3
Primary Completion Rate (%)		94.5

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019.(4)

Source for all other data: International Labor Organization's analysis of statistics from National Sample Survey Round 68 (NSS-R68), 2011-2012.(5)

Figure I. Working Children by Sector, Ages 5-14



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	Farming, including producing hybrid cottonseed and hybrid vegetable seeds, cultivating cotton and rice, and harvesting sugarcane, tobacco, and tea (6-16)
	Processing cashew nuts and seafood (17-20)

SIGNIFICANT ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Manufacturing garments, weaving silk fabric and carpets, producing raw silk thread (sericulture), spinning cotton thread and yarn, and embellishing textiles with silver and gold (<i>zari</i>) (3,21-28)
	Manufacturing glass bangles,† imitation jewelry, locks,† brassware,† and polishing gems (29-37)
	Rolling cigarettes (<i>bidis</i>),† manufacturing incense sticks (<i>agarbatti</i>),† fireworks,† and matches† (38-41)
	Manufacturing footwear and bags, producing leather goods and/or accessories,† and stitching soccer balls (42-46)
	Producing bricks,† quarrying and breaking sandstone† and granite,† and mining and collecting mica† and coal† (2,47-54)
Services	Domestic work (55,56)
	Working in hotels, food service, and tourism services (57-61)
	Street work, including scavenging and sorting garbage (62)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, including producing hybrid cottonseed and harvesting sugarcane, each sometimes as a result of human trafficking (63-65)
	Forced labor in producing bricks, quarrying stones, and in rice mills (2,66-71)
	Forced labor in producing garments and carpets, spinning cotton thread and yarn, and embroidering silver and gold into textiles (<i>zari</i>) (1,23,24,27,72-75)
	Forced labor in producing bangles, imitation jewelry, leather goods, plastic goods, footwear, and bags (34,36,37,76-81)
	Forced labor in domestic work and begging, each sometimes as a result of human trafficking (55, 65, 82, 83)
	Commercial sexual exploitation, sometimes as a result of human trafficking (65, 84)
	Recruitment of children by non-state armed groups for use in armed conflict (65,85)
Use in illicit activities, sometimes as a result of human trafficking, including the use of children to commit theft, traffic other children, and recruit other children for commercial sexual exploitation (86,87,88)	

† 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.

Within India, children are trafficked for commercial sexual exploitation and for forced labor in domestic service. (65,84) Children are also forced to work as bonded laborers in brick kilns and stone quarries to pay off family debts owed to moneylenders and employers. (2,89) Children from India’s rural areas migrate or are trafficked for employment in industries such as spinning mills and cottonseed production, in which they are forced to work in hazardous environments for little or no pay. (23,63) In addition, non-state armed groups reportedly force children to serve as spies, couriers, and soldiers in the states of Bihar, Chhattisgarh, Jharkhand, Maharashtra, West Bengal, and Odisha, and as soldiers in Jammu and Kashmir. (85,90,) Maoist groups sometimes used children as human shields in confrontations with security forces. (92) Unverified reports allege national security forces also use children as informants and spies. (90) Some female child soldiers reported that commanders recruited and used them in part for sexual exploitation, including practices indicative of sexual slavery. (65,85,90)

Child victims of commercial sexual exploitation, forced labor, and human trafficking are more likely to be children from marginalized groups, such as low-caste Hindus, members of tribal communities, and religious minorities. (65) Children from marginalized groups also face barriers to accessing education. Teachers sometimes subject these children to discrimination and harassment. (93,94)

II. LEGAL FRAMEWORK FOR CHILD LABOR

India 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 India's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of recruitment of children by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Section 3(1) of the Child and Adolescent Labor (Prohibition and Regulation) Act (95)
Minimum Age for Hazardous Work	Yes	18	Section 3A of the Child and Adolescent Labor (Prohibition and Regulation) Act (95)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Schedule to the Child and Adolescent Labor (Prohibition and Regulation) Act (96)
Prohibition of Forced Labor	Yes		Section 4 of the Bonded Labor System (Abolition) Act; Sections 370 and 374 of the Penal Code; Section 79 of the Juvenile Justice (Care and Protection of Children) Act (97,98,99)
Prohibition of Child Trafficking	Yes		Sections 366A, 366B, 370, 372, and 373 of the Indian Penal Code; Section 5 of the Immoral Traffic (Prevention) Act (98,100)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 366A, 366B, 370A, 372, and 373 of the Indian Penal Code; Sections 4–7 of the Immoral Traffic (Prevention) Act; Sections 13–15 of the Protection of Children from Sexual Offense Act; Section 67B of the Information Technology Act (98, 100, 101, 102)
Prohibition of Using Children in Illicit Activities	Yes		Sections 76 and 78 of the Juvenile Justice (Care and Protection of Children) Act; Section 32B(c) of the Narcotic Drugs and Psychotropic Substance Act (99, 103)
Minimum Age for Voluntary State Military Recruitment	Yes	16	
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15	Section 3 of the Right of Children to Free and Compulsory Education Act (104)
Free Public Education	Yes		Section 3 of the Right of Children to Free and Compulsory Education Act (104)

* No conscription (105)

In 2018, the Ministry of Women and Development drafted a new anti-trafficking bill titled, The Trafficking of Persons (Prevent, Protection and Rehabilitation) Bill. The bill would criminalize and enhance penalties for aggravated forms of trafficking, including trafficking for the purposes of forced labor, bonded labor, and begging. (106) However, the bill must be approved by both houses of parliament and the president to become law. (107)

SIGNIFICANT ADVANCEMENT

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. (95,104) Despite evidence that children work in unsafe and unhealthy environments for long periods of time in spinning mills, garment production, carpet making, and domestic work, not all children under age 18 are prohibited from working in occupations related to these sectors. (21,25,3,96)

Although sources report that the minimum age for voluntary recruitment into India's Armed Forces is 16 and that individuals must be 18 to be deployed, research did not uncover a copy of the pertinent legislation. (108)

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 state government Labor Inspectorates that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Government Labor Inspectorates	Conduct labor inspections, including inspections for child labor. Enforce child labor laws, including assessing penalties for violations found during inspections. (107) Refer children to Child Welfare Committees for protection and rehabilitation services. (99)
State and Local Police	Enforce laws pertaining to child labor and human trafficking. (108) Submit information to District Magistrates to determine if a case should be prosecuted in District Court. (109) Refer children to Child Welfare Committees for protection and rehabilitation services. (99)
State and District-level Anti-Human Trafficking Units	Investigate cases of human trafficking. Established in 264 local police jurisdictions throughout India. (108)
Central Bureau of Investigation's Anti-Human Trafficking Unit	Investigates and prosecutes cases involving the kidnapping and trafficking of women and children by professional gangs operating across multiple states. Takes on cases by request of, or in agreement with, state governments. (110)
Child Welfare Committees	Refer children in need of care and protection to welfare services providers under the Integrated Child Protection Scheme, including children involved in hazardous work, begging, and human trafficking, as well as those living on the streets. (99) Established 710 committees across the 660 districts in India. (111)
Vigilance Committees	Rescue, release, and rehabilitate bonded laborers and family members. Assembled at the district and subdivision levels by the District Magistrate. (97)

Labor Law Enforcement

In 2018, labor law enforcement agencies in India took actions to combat child labor (Table 6). However, gaps exist within the operations of the state government labor inspectorates that may hinder adequate labor law enforcement, including that the number of labor inspectors may be insufficient for adequate enforcement.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (113)	Unknown (107)
Number of Labor Inspectors	Unknown (113)	Unknown (107)
Inspectorate Authorized to Assess Penalties	Yes (113)	Yes (107)
Initial Training for New Labor Inspectors	Yes (113)	Yes (107)
Training on New Laws Related to Child Labor	Yes (114)	Yes (107)
Refresher Courses Provided	Yes (113)	Yes (107)
Number of Labor Inspections Conducted	Unknown (113)	125,429 (115)
Number Conducted at Worksite	Unknown (113)	Unknown (107)
Number of Child Labor Violations Found	47,635 (116)	66,169 (116)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (113)	Unknown (107)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (113)	Unknown (107)
Routine Inspections Conducted	Yes (113)	Yes (107)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Routine Inspections Targeted	Yes (113)	Yes (107)
Unannounced Inspections Permitted	Yes (113)	Yes (107)
Unannounced Inspections Conducted	Yes (113)	Yes (107)
Complaint Mechanism Exists	Yes (113)	Yes (117)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (113)	Yes (107)

The Constitution of India gives state governments primary responsibility for the enforcement of labor laws. The central government seeks to collect data on national and state actions taken to address child labor violations. (107, 118, 119) Penalties for violating the Child and Adolescent Labor (Prohibition and Regulation) Act are likely insufficient to deter employers from hiring children. (107) Penalties include imprisonment for 6 months to 2 years and/or fines ranging from \$300 to \$700, but imprisonment is rare and maximum fines are infrequently levied. (95)

The government reported rescuing 66,169 children from child labor situations in 2018-2019 under the National Child Labor Project scheme; however, it did not provide information on the number of violations in which financial or other penalties were imposed and then collected for these violations. (115, 120)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in India 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 the lack of data on state government efforts to investigate, prosecute, and convict crimes involving the worst forms of child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (114)	Unknown (107)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (114)	N/A (107)
Refresher Courses Provided	Yes (114)	Yes (107)
Number of Investigations	Unknown	Unknown (107)
Number of Violations Found	1,691 (120)	942 (120)
Number of Prosecutions Initiated	1,276 (120)	624 (120)
Number of Convictions	695 (120)	586 (120)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (113)	Yes (107)

The Constitution of India gives state governments primary responsibility for criminal law enforcement. (113, 118) During the reporting period, police and child protection officers in some states conducted raids and other law enforcement actions to rescue children from hazardous child labor and forced labor. The greatest numbers of children were withdrawn from work in Madhya Pradesh, West Bengal, and Uttar Pradesh states. (56, 121, 116)

While the National Crime Records Bureau collects law enforcement data from state governments regarding criminal cases involving the worst forms of child labor, the government has not released comprehensive data for the 2017 or 2018 reporting periods. (122) However, the Ministry of Labor and Employment reported to Parliament that in 2018 there were 624 prosecutions and 586 convictions in cases involving violations of the Child Labor Act, although it did not provide sentencing data for these cases. (115, 116) News reports indicate that some perpetrators received prison sentences for trafficking children for commercial sexual exploitation during the reporting period. (123, 124)

In several states, lack of thorough investigations into suspected human trafficking crimes by local and state-level law enforcement, reported cases of physical and sexual abuse of trafficking victims residing at shelter homes, and

SIGNIFICANT ADVANCEMENT

poor oversight of government-run and government-funded shelter homes created an atmosphere of impunity for shelter home employees to engage in sex trafficking and forced labor, including of children. In Deoria (Uttar Pradesh state), despite 20 letters from the district government requesting district authorities to shut down a government-funded but privately-operated shelter home whose registration was cancelled in 2017, police continued to send over 400 women and children to the shelter home over the period of two years, and shelter home employees exploited many in sex trafficking. (90,125) When the abuse became known, the district officer was suspended and law enforcement authorities arrested the shelter home manager and four employees three days after the initial raid on charges of child trafficking. (125) In a separate case in Agra in October 2018, a judge convicted the warden of a state government-run shelter home with a sentence of life imprisonment for selling shelter home residents, including children, into sex trafficking. (90,125)

During the reporting period, a report commissioned by the Bihar state government identified abuse, varying in forms and degrees of intensity, prevalent in more than 100 government-funded women and child care institutions across the state, including “grave concerns” requiring immediate attention in 17 institutions. In one case, government officials were reportedly complicit in child sex trafficking and forced labor of children. (90) Investigations were launched, evidence of physical and sexual abuse of victims emerged, and a number of prosecutions were initiated. (125) NGOs commended the Bihar government for undertaking the study and allowing the investigator full authority to report on all institutions without interference. In November, India’s Supreme Court ordered the Central Bureau of Investigation to take over investigation of the 17 shelter homes with the gravest concerns of abuse and subsequently mandated that all state governments in India audit the condition and supervision of state-run and state-funded shelter homes. (90,127) The National Commission for Protection of Child Rights audited 7,023 homes that provide shelter to children and at the end of the reporting period was finalizing the information to be submitted to the Supreme Court. (90,127)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
Task Force to Implement the Child Labor Act*	Coordinates the oversight mechanism to ensure the effective implementation of the Child and Adolescent Labour (Prohibition and Regulation) Act . Led by Ministry of Labor and Employment (MOLE) and consists of 12 officials from the federal and state governments. (128) Convened the first task force meeting in October 2018. (129)
Central Advisory Board on Child and Adolescent Labor	Convenes board members to review the implementation of existing legislation and programs related to child labor, as well as proposes new welfare measures for child labor. Chaired by MOLE and consists of 45 board members, including government officials and NGO representatives. (130) In January 2018, MOLE convened a meeting of the board. (131)
National Commission for the Protection of Child Rights	Ensures that all laws, policies, programs, and administrative mechanisms are in accordance with the constitutional protections for children and the UN CRC. Inquires about child rights violations and failures to properly implement laws relating to child protection. (132) State Commissions for Protection of Child Rights have also been established in all 29 states and in 6 territories, including Delhi. (133) During the reporting period, the National Commission for the Protection of the Child Rights conducted two statutory meetings , and 29 state commissions convened for a workshop on the functioning of State Commissions for Protection of Child Rights. (134-136)
National Human Rights Commission	Monitors implementation of the Bonded Labor System (Abolition) Act. Monitors state governments’ actions to identify, release, and rehabilitate bonded laborers through quarterly submissions and exploratory and investigative missions. (137,138)
Platform for Effective Enforcement for No Child Labor (PENCIL) Portal	MOLE-operated online portal that allows government officials, NGOs, and law enforcement to share information and coordinate on child labor cases at the national, state, and local levels in an attempt to improve enforcement of child labor laws and the implementation of the NCLP scheme. (156,157) Between September 2017 and November 2018, 565 complaints were recorded through the portal. (107)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

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 lack of state action plans for the elimination of child labor for all state governments.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy on Child Labor	Describes actions for combating hazardous labor for children, including implementing legislation and providing direct assistance to children. (142) During the reporting period, the policy was implemented through programs operated by MOLE and the Ministry of Women and Child Development (MWCD). (143,144)
National Plan of Action for Children	Identifies priority actions for achieving the objectives set out in the National Policy for Children (NPC). (153,154) Aims to establish bridge courses and age appropriate classes for children rescued from child labor and child trafficking to meet the NPC objective to ensure that all out-of-school children have access to education. In addition, seeks to develop community-based prevention, rescue, rehabilitation and reintegration mechanisms and to strengthen institutional mechanisms to address the worst forms of child labor in order to meet the NPC objective that all children are protected from exploitation. (153,154) During the reporting period, the policy was implemented through programs operated by MOLE and MWCD. (143,144)
State Action Plans on Child Labor	Detail state governments' activities and programs to eliminate child labor. Child labor action plans are in place in only 10 state governments: Andhra Pradesh, Bihar, Gujarat, Jharkhand, Karnataka, Meghalaya, Orissa, Punjab, Tamil Nadu, and Uttar Pradesh. (107,145-152) Research was unable to determine what activities were undertaken to implement the state action plans during the reporting period.

In 2018, the Government of the National Capital Territory drafted the “Policy on Rehabilitation and Combating Trafficking of Women and Children,” which seeks to establish a rehabilitation fund for women and children who were trafficked for commercial sexual exploitation. The draft policy also establishes district and state-level coordination committees to undertake prevention and rehabilitation activities. (115,155)

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 in the oversight of government-run, government-funded, and privately-run shelter homes that provide assistance to victims of the worst forms of child labor.

Table 10. Key Social Programs to Address Child Labor

Program	Description
National Child Labor Project (NCLP) Scheme†	MOLE program that operates at the district level to identify working children, withdraw them from hazardous work, and provide them with education and vocational training. Sets up and administers NCLP schools, mainstreams children into formal education, and provides them with stipends, meals, and health checkups. (143) Comprises approximately 3,000 NCLP special training centers that accommodate approximately 120,000 children. (143) Between April 1, 2017 and March 31, 2018, the program rehabilitated 47,345 children who were rescued from child labor. (107)
Integrated Child Protection Scheme (ICPS)†	MWCD scheme that provides children in need of protection—including children withdrawn from hazardous work, forced labor, and human trafficking—with food and accommodation in government-run shelter homes, as well as non-institutional care in foster homes and adoptive families. Provides rehabilitation and reintegration services to rescued children. (144) Through the Welfare of Working Children in Need of Care and Protection program, provides non-formal education and vocational training to street children and working children living in urban areas not covered by NCLP schemes. The budget allocated for the program was increased during the reporting period. (144)
Childline†	MWCD-funded 24-hour toll-free emergency telephone service for children in distress. Includes Childline India Foundation-operated telephone service in cities across India, which connects children in need of assistance with hospitals, child welfare committees, shelter homes, and police. (144,158) During the reporting period, MWCD approved the expansion of the program to new locations. (144)
TrackChild and Khoya-Paya†*	MWCD-implemented online portal that tracks missing children and facilitates information sharing about missing and vulnerable children among stakeholders, including child protection units, police stations, and Child Welfare Committees. (144,159) Track Child's Khoya-Paya (Lost and Found) website allows parents and the general public to report and search for missing children. Program was active during the reporting period. (144,160)
Central Sector Scheme for Rehabilitation of Bonded Laborers, 2016†	MOLE program that rescues and rehabilitates adult and child bonded laborers. Provides rescued bonded laborers with financial assistance and social protection services. (143) Supports funding of surveys at the district level on the prevalence of bonded labor and the rehabilitation of bonded laborers identified through the surveys. As of September 30, 2017, more than \$14 million was provided to state governments for the rehabilitation of 289,222 bonded laborers. (143)

SIGNIFICANT ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Anti-Human Trafficking Activities†	MWCD-operated anti-human trafficking activities, in collaboration with NGOs and state governments. (161) Support projects to help reintegrate, rehabilitate, and repatriate human trafficking victims, including children, through the <i>Ujjawala</i> scheme. Also provides short-term housing and rehabilitation services, including vocational training for women and adolescent girls, through the <i>Swadhar Greh</i> scheme. (161) Programs were active during the reporting period. (115,161)
Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor*	USDOL-funded project implemented by the ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to combat child labor and forced labor. (162) In 2018, the ILO consulted with the State Governments of Bihar, Chhattisgarh, and Uttar Pradesh to identify program outcomes, which will include designing policies that converge government-programs relevant to child labor, updating state and district child labor survey questionnaires to align with India's amended Child Labor Act, and developing trainings to address knowledge gaps on child labor. For additional information, please see our website.

* Program was launched during the reporting period.

† Program is funded by the Government of India.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (163)

In 2018, the Government of the National Capital Territory of Delhi issued standard operating procedures for the immediate release of financial assistance to adults and children rescued from bonded labor. (164) However, state governments lack similar procedures, sometimes failed to recognize bonded labor cases, and often did not issue release certificates or provide more than the initial financial assistance to bonded labor victims. (115,165) In 2018, state governments did not provide full compensation to any bonded labor victims. In addition, NGOs in some states reported problems with obtaining initial compensation. (90) The delays in distributing financial assistance reportedly contributed to the re-victimization of bonded laborers, including children. (90, 126) In addition, state governments conduct district-level surveys on bonded labor under the Scheme for Rehabilitation of Bonded Labor, but data were not available on the number of victims of bonded labor, including children. (115)

During the reporting period, media, NGOs, and Indian authorities documented a persistent lack of oversight as well as negligence in government-run, government-funded, and privately-run shelter homes, sometimes resulting in abuse and trafficking of residents, including children. In one case, 30 girls residing at a shelter home were reportedly exploited in sex trafficking. (90) In addition, due to unsafe conditions and forcible detention in government-run and -funded shelter homes, some sex trafficking victims—including children—ran away, and at least one attempted suicide in the shelter home during the reporting period. In several instances, government-funded shelter homes continued to operate despite significant gaps in mandatory reporting and allegations of abuse. (90) In response, the government began developing a comprehensive program for quarterly monitoring and reporting on the country's 7,023 shelter homes that provide care to children. (90,127)

In August 2018, the central government committed to audit all shelter homes for children. As of September, authorities had surveyed approximately one-third of all shelter homes. (90) In September, the state of Uttar Pradesh issued interim guidelines for the management of shelter homes in the state, and the Bihar state government announced that it would assume management of all government-funded and NGO-run shelter homes by December 2018; it is unknown whether this transfer of management has taken place. Also in September, the Supreme Court ordered the Ministry of Women and Child Development (MWCD) to formulate a child protection policy to prevent abuse in government-run and -funded shelter homes. (90) A draft policy was released for public comment in December 2018. The Supreme Court further implored the MWCD to present an update on incidents of child sexual abuse in all shelter homes; MWCD had not produced this report by the close of the reporting period. (90,127)

In April 2018, to improve data collection and reporting, the Government of India distributed a new comprehensive form that requires all state governments to annually report to the National Crime Records Bureau specific details of human trafficking cases that occur at the district level. (90,127)

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 India (Table I I).

Table I I. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the types of hazardous work prohibited for children under age 18 are comprehensive, especially in the sectors in which children work in unsafe and unhealthy conditions for long periods of time such as in spinning mills, garment production, carpet making and domestic work.	2016 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Publish the legal instrument that establishes the minimum age for voluntary recruitment into India's armed forces.	2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Collect and publish national-level data on labor law enforcement, including the amount of funding for the labor inspectorate, the number of labor inspectors, the number of inspections conducted at workplaces, and the number of penalties imposed and collected for child labor law violations.	2014 – 2018
	Create meaningful penalties for employment of children in prohibited child labor to ensure that they adequately deter violations.	2014 – 2018
	Collect and publish national-level data from all state governments on whether new criminal investigators receive training, the number of criminal investigations, and punishments for all crimes involving the worst forms of child labor. Clarify in existing data whether cases reported involve multiple offenders.	2009 – 2018
	Fully implement the standard operating procedures that provide financial assistance to victims, including children, rescued from bonded labor.	2018
	Investigate suspected abuses and misconduct at government-run and government-funded shelter homes.	2018
	Ensure that public officials that facilitate or participate in the worst forms of child labor are held accountable.	2018
Government Policies	Work with state governments that do not currently have state action plans for the elimination of child labor to establish such plans.	2011 – 2018
	Publish information about activities that were undertaken to implement the state action plans during the reporting period.	2018
Social Programs	Penalize education officials who engage in discrimination and harassment of children, and reduce barriers to education, in particular for children from marginalized communities.	2014 – 2018
	Ensure that shelter homes are free of abuses, including forced labor and sex trafficking of children.	2018
	Ensure that state governments are issuing release certificates and financial assistance to victims, including children, rescued from bonded labor.	2018
	Make data and findings from district-level bonded labor surveys publicly available.	2009 – 2018

REFERENCES

- India Committee of the Netherlands. Unfree and Unfair: Poor Living Conditions and Restricted Freedom of Movement of Young Migrant Garment Workers in Bangalore. Utrecht, January 2016. <http://www.indianet.nl/pdf/UnfreeAndUnfair.pdf>.
- UNICEF Institute for Statistics. Children's Lives Cast in Stone: Child Labour and the Sandstone Industry in Kota and Bundi. 2015. Source on file.
- Rights Education and Development Centre (READ). Baseline Study on the Status of Young Women and Girls Working under Sumangali Scheme at Textile Industries in Erode District. 2014. <http://dsnuk.org/wp-content/uploads/2014/10/Baseline-study-on-the-status-of-young-women-and-girls-working-under-Sumangali-scheme-at-textile-industries-in-Erode-district.pdf>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Activity Survey (SIMPOC), 2013. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Venkateswarlu, Davuluri. Cotton's Forgotten Children: Child Labour and Below Minimum Wages in Hybrid Cottonseed Production in India. Utrecht, July 2015. <http://www.indianet.nl/pdf/CottonsForgottenChildren.pdf>.
- Venkateswarlu, Davuluri. Soiled Seeds: Child Labour and Underpayment of Women in Vegetable Seed Production in India. Utrecht, November 2015. <http://www.indianet.nl/pdf/SoiledSeeds.pdf>.
- Bhasin, Sukhmeet. Women, children forced to transplant paddy owing to labour shortage. The Tribune, June 25, 2015. <http://www.tribuneindia.com/news/bathinda/womenchildrenforcedtotransplantpaddyowingtolabourshortage/98577.html>.

SIGNIFICANT ADVANCEMENT

- 9 Browne, David. Child labour and exploitation in India's cotton fields. *Equal Times*, June 12, 2015. https://www.equaltimes.org/child-labour-and-exploitation-in#.WhMNt_nHZ7.
- 10 Oxford Policy Management, and Glocal Research Services. Summative Evaluation of UNICEF India's Cotton Corridors Project: "Preventing Exploitation and Protecting Children's Rights in Andhra Pradesh and Karnataka. UNICEF, July 13, 2016. https://www.unicef.org/evaldatabase/files/OPM_Cotton_Corridors_final_evaluation_report_for_GEROS_India_2016-001.pdf.
- 11 Malhotra, Sarika. Invisible Hands. *Business Today*, June 7, 2015. <http://www.businesstoday.in/features/child-labour-in-india-how-it-being-hidden-from-authorities/story/219448.html>.
- 12 Centre for Workers' Management. Brewing Misery: Condition of Working Families in Tea Plantations in West Bengal and Kerala. January 2015. http://www.laborrights.org/sites/default/files/publications/Brewing_Misery_-_A_report_on_tea_plantations_in_WB.pdf.
- 13 Compliance Advisor Ombudsman. CAO Investigation of IFC Environmental and Social Performance in Relation to: Amalgamated Plantations Private Limited (APPL), India. September 6, 2016. http://www.cao-ombudsman.org/cases/document-links/documents/CAOInvestigationReportofIFCInvestmentinAPPL_EN.PDF.
- 14 Nagaraj, Anuradha. Indian sugar mill under scrutiny for using cane harvested by slaves. *Reuters*, November 14, 2017. <https://www.reuters.com/article/us-india-slavery-sugar/indian-sugar-mill-under-scrutiny-for-using-cane-harvested-by-slaves-idUSKBN1DE12E>.
- 15 Oxfam. Human Cost of Sugar: A farm-to-mill assessment of sugar supply chain in Uttar Pradesh. October 2018. https://www.oxfamindia.org/sites/default/files/2018-11/HUMAN_COST_OF_SUGAR-A_FARM_TO_MILLS_ASSESSMENT_OF_THE_SUGAR_VALUE_CHAIN_IN_U.P.2_0.pdf.
- 16 Save the Children. Child Rights Situation Analysis in Tea Gardens in Assam. November 2016. Source on file.
- 17 The Hindu. Minor labourers rescued in Koraput. February 22, 2015. <http://www.thehindu.com/news/national/other-states/minor-labourers-rescued-in-koraput/article6920806.ece>.
- 18 Press Trust of India. 91 Child Workers Rescued in Ganjam. *The New Indian Express*, July 13, 2015. <http://www.newindianexpress.com/nation/91ChildWorkersRescuedinGanjam/2015/07/13/article2917904.ece>.
- 19 Unnikrishnan, Hiran. Child labour rampant in seafood units: police. *The Hindu*, September 1, 2016. <http://www.thehindu.com/news/cities/Kochi/Child-labour-rampant-in-seafood-units-police/article14616051.ece>.
- 20 Press Trust of India. 8 minor boys rescued from human trafficking. *Business Standard*, May 5, 2016. http://www.business-standard.com/article/pti-stories/8-minor-boys-rescued-from-human-traffic-116050500612_1.html.
- 21 Save the Children. The Hidden Workforce: A Study on Child Labour in the Garment Industry in Delhi. 2015. Source on file.
- 22 Human Rights Watch. Small Change: Bonded Child Labor in India's Silk Industry. January 2003. <http://www.hrw.org/sites/default/files/reports/india0103.pdf>.
- 23 Theuws, Martje and Pauline Overeem. Flawed Fabrics: The abuse of girls and women workers in the South Indian textile industry. SOMO, October 2014. <https://www.somo.nl/wp-content/uploads/2014/10/Flawed-fabrics.pdf>.
- 24 Press Trust of India. Ten child labourers rescued from zari unit. *The Business Standard*, March 14, 2015. http://www.business-standard.com/article/pti-stories/ten-child-labourers-rescued-from-zari-unit-115031400737_1.html.
- 25 Kara, Siddharth. Tainted Carpets: Slavery and Child Labor in India's Hand-Made Carpet Sector. Harvard School of Public Health, 2014. <http://fxb.harvard.edu/wp-content/uploads/sites/5/2014/01/Tainted-Carpets-Released-01-28-14.pdf>.
- 26 The Times of India. 14 minors rescued from jacket factory. September 9, 2015. <https://timesofindia.indiatimes.com/city/ludhiana/14-minors-rescued-from-jacket-factory/articleshow/48879345.cms>.
- 27 Hindustan Times. In Delhi jeans factory, children hit with hammer and made to work for 22 hours. March 2, 2017. Source on file.
- 28 Delaney, Annie and Tim Conner. Forced Labor in the Textile and Garment Sector in Tamil Nadu, South India. Corporate Accountability Research, 2016. https://corporateaccountabilityresearch.net/s/NJM13_sumangali.pdf.
- 29 Sudhir, Uma. Why the Hyderabad Bangle is a 'Circle of Shame' According to Activists. *NDTV*, February 17, 2015. <http://www.ndtv.com/india-news/why-the-hyderabad-bangle-is-a-circle-of-shame-according-to-activists-740158>.
- 30 Shafi, Showkat. Indian town where glass-making is a household craft. *Al Jazeera*, February 13, 2015. <http://www.aljazeera.com/indepth/inpictures/2015/02/indian-town-glass-making-household-craft-150209200924438.html>.
- 31 Timothy, Clement. Locked Dreams - children working in the lock industry in Aligarh. *World Vision India*, 2011. <http://wvindia.blogspot.com/2011/06/locked-dreams-children-working-in-lock.html>.
- 32 INDUS Project. Profile of Child Labor: A Survey Report. 2008. Source on file.
- 33 Equal Times. Child labor in India's gemstone industry [Video]. 2015. <https://www.equaltimes.org/child-labour-in-india-s-gemstone-16055?lang=en#.WVUp4tk2GN9A>.
- 34 The Times of India. Cops rescue child workers from bangle unit in Jaipur. December 17, 2016. Source on file.
- 35 Srivastava, Roli. Nearly 200 more child workers freed as crackdown continues in south India. *Reuters*, January 17, 2017. <https://www.reuters.com/article/us-india-children-labour/nearly-200-more-child-workers-freed-as-crackdown-continues-in-south-india-idUSKBN1511TT>.
- 36 TNN. 27 West Bengal kids rescued from jewellery unit. *The Times of India*, March 28, 2018. <https://timesofindia.indiatimes.com/city/rajkot/27-wb-kids-rescued-from-jewellery-unit/articleshowprint/63494006.cms>.
- 37 Safi, Michael. Indian police rescue 70 children working in 'inhuman condition'. *The Guardian*, April 9, 2017. <https://www.theguardian.com/law/2018/apr/09/indian-police-rescue-over-70-children-working-in-jewellery-manufacturing>.
- 38 Sharma, Maya. Not Paid, Locked, and Beaten; Factory Workers Rescued From Outskirts of Bengaluru. *NDTV*, June 3, 2015. <http://www.ndtv.com/bangalore-news/not-paid-locked-and-beaten-factory-workers-rescued-from-outskirts-of-bengaluru-768150>.
- 39 Madhukalya, Amrita. Andhra Pradesh cracker unit deaths bring back focus on child labour. *DNA*, October 21, 2014. <http://www.dnaindia.com/india/report-andhra-pradesh-cracker-unit-deaths-bring-back-focus-on-child-labour-2027987>.
- 40 Venketakrishnan, Amritha and Vidya Padmanabhan. Lives in Sivakasi at Stake as Families Make Fireworks at Home. *livemint.com*, October 25, 2011. <http://www.livemint.com/2011/10/25011802/Lives-in-Sivakasi-at-stake-as.html>.
- 41 Sarwer, Masood. Burning both ends: Many young girls in murshidabad are child labourers. *The Hindu*, July 7, 2018. <https://www.thehindu.com/news/national/other-states/burning-both-ends-many-young-girls-in-murshidabad-are-child-labourer/article24361585.ece/photo/5/>.
- 42 Doherty, Ben. Poor children made to stitch sports balls in sweatshops. *Sydney Morning Herald*, September 22, 2012. <http://www.smh.com.au/national/poor-children-made-to-stitch-sports-balls-in-sweatshops-20120921-26c0z.html>.

- 43 Rao, Mohit M. Your cheap shoes may have been made by children. The Hindu, November 9, 2016. <http://www.thehindu.com/news/cities/bangalore/Your-cheap-shoes-may-have-been-made-by-children/article16091788.ece>.
- 44 India Committee of the Netherlands. Do Leather Workers Matter? Violating Labour Rights and Environmental Norms in India's Leather Production. Utrecht, March 2017. <http://www.indianet.nl/pdf/DoLeatherWorkersMatter.pdf>.
- 45 Nagaraj, Anuradha. Enslaved teen boys dial for help from Indian shoe factory. Reuters, October 28, 2016. <http://news.trust.org/item/20161028165945-g9wh1>.
- 46 The Times of India. 13 child labourers rescued in Kota. July 7, 2017. <https://timesofindia.indiatimes.com/city/jaipur/13-child-labourers-rescued-in-kota/articleshow/59480207.cms>.
- 47 Nagaraj, Anuradha. Nearly 200 children freed from south India brick kiln in one of biggest rescues. Reuters, January 4, 2017. <https://www.reuters.com/article/us-india-children-rescue-idUSKBN14011K>.
- 48 Anti-Slavery International. Slavery in India's Brick Kilns and the Payment System. September 2017. <http://www.antislavery.org/wp-content/uploads/2017/09/Slavery-In-Indias-Brick-Kilns-The-Payment-System.pdf>.
- 49 ILO. Safety and Health for Sandstone Mine Workers. 2016. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-new_delhi/documents/publication/wcms_462647.pdf.
- 50 India Committee of the Netherlands. Rock Bottom: Modern Slavery and Child Labour in South Indian Granite Quarries. Utrecht, May 2015. <http://www.indianet.nl/pdf/RockBottom.pdf>.
- 51 Stop Child Labour and India Committee of the Netherlands. The Dark Sites of Granite. India Committee of the Netherlands, August 2017. <http://www.indianet.nl/pdf/TheDarkSitesOfGranite.pdf>.
- 52 Albert ten Kate, et al. Beauty and a Beast: Child Labour in India For Sparling Cars and Cosmetics. Amsterdam: SOMO, March 2016. <https://www.somo.nl/wp-content/uploads/2016/05/Beauty-and-a-Beast.pdf>.
- 53 Bhalla, Nita, et al. Blood Mica: Deaths of child workers in India's mica 'ghost' mines covered up to keep industry alive. Reuters, August 3, 2016. <http://news.trust.org/shorthand/mica/>.
- 54 Price, Larry C. The Tragedy at Ganshadih. The Pulitzer Center, December 2, 2016. <http://pulitzercenter.org/reporting/tragedy-ganshadih>.
- 55 Cunico, Kane, et al. For India's stolen children, a journey into slavery. Channel NewsAsia, July 14, 2016. <http://www.channelnewsasia.com/news/asiapacific/for-india-s-stolen-children-a-journey-into-slavery-7915944>.
- 56 Kumar, Ashok. Haryana Police shows zero tolerance towards human trafficking. The Hindu, May 11, 2018. <https://www.thehindu.com/news/cities/Delhi/haryana-police-shows-zero-tolerance-towards-human-trafficking/article23842722.ece>.
- 57 Committed Action for Relief and Education and Child Rights and You. Developing a new perspective on Child Labour: Exploring the aftermath of Mumbai raids conducted from 2008 onwards. June 2014. <http://www.cry.org/resources/pdf/CRY-CARE-report-on-Child-Labour-2014.pdf>.
- 58 Srivastava, Roli. Crackdown and vigilance drive down number of child workers in Mumbai. Reuters, January 24, 2017. <https://www.reuters.com/article/us-india-childlabour/crackdown-and-vigilance-drive-down-number-of-child-workers-in-mumbai-idUSKBN1581W8>.
- 59 Child Rights in Goa. Walking the Tightrope: Exploitation of Migrant Children in Tourism in Goa. April 2016. http://www.equitabletourism.org/files/fileDocuments5899_uid3.pdf.
- 60 Mendonca, George. 7 minors rescued, 4 booked in drive against child labour: The Times of India, March 5, 2017. <https://timesofindia.indiatimes.com/city/navi-mumbai/7-minors-rescued-4-booked-in-drive-against-child-labour/articleshow/57470075.cms>.
- 61 The Times of India. Six Child Labourers Rescued. July 26, 2017. <https://timesofindia.indiatimes.com/city/jaipur/six-child-labourers-rescued/articleshow/59762816.cms>.
- 62 Rowell, Melody. What It's Like to Live in the World's Most Polluted City. National Geographic, April 26, 2016. <http://news.nationalgeographic.com/2016/04/160425-new-delhi-most-polluted-city-matthieu-paley/>.
- 63 India Committee of the Netherlands. Trafficking of Children to Cottonseed Fields of Gujarat. Utrecht, January 20, 2015. <http://www.indianet.nl/pdf/150120e.pdf>.
- 64 Dubey, Priyanka. Where do the missing children of Delhi go? Telhelka. April 25, 2012. <http://www.tehelka.com/where-do-the-missing-children-of-delhi-go/>.
- 65 U.S. Department of State. 2018 Trafficking in Persons Report: India. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/india/>.
- 66 Express News Service. Bonded Labourers Rescued From Rice Mill in Red Hills. The New Indian Express, Chennai, December 18, 2015. <http://www.newindianexpress.com/cities/chennai/Bonded-Labourers-Rescued-From-Rice-Mill-in-Red-Hills/2015/12/18/article3183341.ece1>.
- 67 The Times of India. "75 kids among 333 bonded labourers freed from brick kiln." February 13, 2015. <http://timesofindia.indiatimes.com/city/chennai/75kidsamong333bondedlabourersfreedfrombrickkiln/articleshow/46223058.cms>.
- 68 Nagaraj, Anuradha. India's booming cities built from 'blood bricks' of bonded laborers." Reuters, March 10, 2016. <http://www.reuters.com/article/us-india-slavery-brickkilns-idUSKCN0WD01B>.
- 69 International Justice Mission. Ten Rescued from Grueling Rock Quarry, Including Kids Born into Slavery. May 24, 2016. <http://news.ijm.org/ten-rescued-from-grueling-rock-quarry-including-kids-born-into-slavery/>.
- 70 International Justice Mission. Second Rescue at Abusive Brick Kiln Frees 328 from Slavery. International Justice Mission, June 6, 2016. <http://news.ijm.org/second-rescue-at-abusive-brick-kiln-frees-328-from-slavery/>.
- 71 Choudhry, Chetna. Pregnant woman, children among 63 rescued from forced labour by administration in Mewat. The Times of India, February 16, 2018. <https://timesofindia.indiatimes.com/city/gurgaon/pregnant-woman-children-among-63-rescued-from-forced-labour-by-administration-in-mewat/articleshow/62952643.cms>.
- 72 India Committee of the Netherlands. Fabric of Slavery: Large-scale forced (child) labour in South India's spinning mills. Utrecht, December 2016. <http://www.indianet.nl/pdf/FabricOfSlavery.pdf>.
- 73 Press Trust of India. Six children rescued from carpet factory. Business Standard, November 12, 2014. http://www.business-standard.com/article/pti-stories/six-children-rescued-from-carpet-factory-114111200750_1.html.
- 74 Hindustan. 20 child workers freed. September 23, 2015. Source on file.
- 75 Hindustan. 25 children rescued from carpet factory. November 23, 2014. Source on file.
- 76 Khan, Asif Yar. 200 child labourers rescued in Hyderabad. The Hindu, January 24, 2015. <http://www.thehindu.com/news/cities/Hyderabad/200-child-labourers-rescued-in-hyderabad/article6818252.ece>.
- 77 Malm, Sara. Some 400 children rescued from factories in India where they were forced to work 12 hour days and were beaten if they ever stopped to rest. Daily Mail, February 5, 2015. <http://www.dailymail.co.uk/news/article-2940889/Police-rescue-hundreds-child-workers-southern-India.html>.
- 78 Express News Service. 30 child workers rescued from Bangalore leather units. The Indian Express, October 17, 2014. <http://indianexpress.com/article/cities/bangalore/30-child-workers-rescued-from-bangalore-leather-units/>.

SIGNIFICANT ADVANCEMENT

- 79 International Justice Mission. Eleven boys and young men freed from a shoe factory. February 15, 2017.
<https://www.ijm.org/content/eleven-boys-and-young-men-freed-shoe-factory>.
- 80 The Times of India. Child trafficking racket busted, 67 children rescued. May 3, 2016.
<http://timesofindia.indiatimes.com/city/indore/Child-trafficking-racket-busted-67-children-rescued/articleshow/52085329.cms>.
- 81 The Hindu. 64 child workers rescued from bag-making units in Bangalore. April 29, 2014.
<http://www.thehindu.com/news/national/karnataka/64-child-workers-rescued-from-bagmaking-units-in-bangalore/article5957274.ece>.
- 82 Nagaraj, Anuradha. Traffickers in India force 300,000 children to beg in the streets: police. Reuters, June 1, 2016.
<http://news.trust.org/item/20160601140901-695bu/>.
- 83 Nagaraj, Anuradha. Indian police arrest orphanage owner forcing children to beg. Reuters, August 19, 2016.
<http://in.reuters.com/article/india-crime-children-idINKCN10UIC7>.
- 84 Santhya, K.G., et al. Trafficking of Minor Girls for Commercial Sexual Exploitation in India: A Synthesis of Available Evidence. Population Council, August 2014.
http://www.popcouncil.org/uploads/pdfs/2014PGY_TraffickingIndia.pdf.
- 85 UN. Report of the Secretary General on Children and Armed Conflict. May 16, 2018: A/72/865-S/2018/465.
http://www.un.org/ga/search/view_doc.asp?symbol=S/2018/465&Lang=EN&Area=UNDOC.
- 86 Raza, Danish. 'Juvenile Trafficker': How Human Traffickers Are Training Hundreds of Minors in the Job. Hindustan Times, July 31, 2016.
<http://www.hindustantimes.com/india-news/juvenile-trafficker-how-human-traffickers-are-training-hundreds-of-minors-in-the-job/story-7e1ObDsmgrm3oj3HQKntUJ.html>.
- 87 Nigam, Chayyanika. Kids are being trafficked, handed over to crime rings in Delhi. India Today, January 18, 2018.
<https://www.indiatoday.in/mail-today/story/kids-are-being-trafficked-handed-over-to-crime-rings-in-delhi-1148254-2018-01-18>.
- 88 U.S. Embassy- New Delhi. Reporting. March 1, 2019.
- 89 Wainwright, Oliver. Bloodbricks: How India's urban boom is build on slave labour. The Guardian, January 8, 2014.
<http://www.theguardian.com/artanddesign/architecture-design-blog/2014/jan/08/blood-bricks-india-urbanisation-human-rights-slave-labour>.
- 90 U.S. Department of State. 2019 Trafficking in Persons Report: India. Washington, DC, June 20, 2019.
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/india/>.
- 91 U.S. Department of State. 2018 Country Reports on Human Rights Practices: India Washington, DC, March 13, 2019.
<https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/india/>.
- 92 U.S. Department of State official. Email communication with USDOL official. July 19, 2019.
- 93 Human Rights Watch. "They Say We're Dirty": Denying an Education to India's Marginalized. April 2014.
http://www.hrw.org/sites/default/files/reports/india0414_ForUpload_1.pdf.
- 94 Iqbal, Mohammed. Dalit children narrate heart-wrenching tales at public hearing. The Hindu, January 2, 2018.
<http://www.thehindu.com/news/national/dalit-children-narrate-heart-wrenching-theses-at-public-hearing/article22347238.ece>.
- 95 Government of India. Child Labor (Prohibition and Regulation) Act (as amended), Act 61 and Act 35. Enacted: 1986, July 10, 2006 and July 30, 2016.
<http://labour.nic.in/cwl/ChildLabourAct.doc>; <http://labour.tripura.gov.in/sites/default/files/child-labour-act-2016.pdf>.
- 96 Government of India. Schedule to the Child and Adolescent Labour (Prohibition and Regulation) Act. Enacted: August 30, 2017. Source on file.
- 97 Government of India. Bonded Labour System (Abolition) Act, Act No. 19. Enacted: February 9, 1976.
[http://www.childlineindia.org.in/CP-CR-Downloads/Bonded Labour System \(Abolition\) Act 1976 and Rules.pdf](http://www.childlineindia.org.in/CP-CR-Downloads/Bonded Labour System (Abolition) Act 1976 and Rules.pdf).
- 98 Government of India. The Indian Penal Code, 1860 (as amended). Enacted: October 6, 1860.
http://www.wipo.int/wipolex/en/text.jsp?file_id=201592.
- 99 Government of India. Juvenile Justice (Care And Protection Of Children) Act. Enacted: 2000.
<http://www.indiacode.nic.in/acts-in-pdf/2016/201602.pdf>.
- 100 Government of India. The Immoral Traffic (Prevention) Act (as amended). Enacted: 1956.
http://www.protectionproject.org/wp-content/uploads/2010/09/India_Acts_1986.pdf.
- 101 Government of India. The Protection of Children from Sexual Offence Act. Enacted: 2012.
http://childlabourjarkhand.nic.in/pdf/notifications/protection_of_children_from_sexual_offences_act.pdf.
- 102 Government of India. The Information Technology (Amendment) Act, No. 10 of 2009. Enacted: February 5, 2009.
<http://www.eprocurement.gov.in/news/Act2008.pdf>.
- 103 Government of India. The Narcotic Drugs and Psychotropic Substances Act, No. 61. Enacted: 1985.
<http://lawmin.nic.in/ld/P-ACT/1985/The Narcotic Drugs and Psychotropic Substances Act, 1985.pdf>.
- 104 Government of India. The Right of Children to Free and Compulsory Education Act, No. 35. Enacted: August 26, 2009.
<http://eoc.du.ac.in/RTE - notified.pdf>.
- 105 Government of India, and Ministry of Defense. Annual Report 2012-13. 2013.
<http://ddpmod.gov.in/sites/default/files/Annual report 2012-2013.pdf>.
- 106 Government of India. The Trafficking of Persons (Prevention, Protection, and Rehabilitation) Bill. 2018.
<http://bba.org.in/assets/pdf/trafficking-bill.pdf>.
- 107 U.S. Embassy- New Delhi. Reporting. January 31, 2019.
- 108 Ministry of Home Affairs. Annual Report 2017-18. 2018.
<https://mha.gov.in/sites/default/files/MINISTRY OF HOME AFFAIR AR 2017-18 FOR WEB.pdf>.
- 109 Indian Courts. District Courts. National Informatics Centre. Accessed January 5, 2015.
<http://indiancourts.nic.in/districtcourt.html>.
- 110 Central Bureau of Investigation. About Us. Accessed December 3, 2018.
<http://www.cbi.gov.in/aboutus/aboutus.php>.
- 111 U.S. Embassy- New Delhi official. Email communication with USDOL official. April 24, 2018.
- 112 Sathish, G.T. Abolished 39 years ago, bonded labour still exists in State. The Hindu, October 24, 2014.
<http://www.thehindu.com/news/national/karnataka/abolished-39-years-ago-bonded-labour-still-exists-in-state/article6530866.ece>.
- 113 U.S. Embassy- New Delhi. Reporting. January 16, 2018.
- 114 U.S. Embassy- New Delhi official. Email communication with USDOL official. February 15, 2018.
- 115 ILO Committee of Experts. Individual Observation concerning Forced Labour Convention, 1930 (no. 29) India (ratification: 1954). Published: 2018.
http://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3958308:YES.
- 116 Government of India, Ministry of Labour and Employment, Lok Sabha. Unstarred Question No. 249 to be answered on 24.06.2019, child labour. June 26, 2019. Source on file.

SIGNIFICANT ADVANCEMENT

- 117 Ministry of Labour and Employment Standard Operating Procedure for Enforcement of the Child and Adolescent Labour Act. September 2017. [https://www.msde.gov.in/assets/images/Notification/Standard Operating Procedure \(SOP\) for Enforcement of the Child and Adolescent Labour \(Prohibition and Regulation\) Act, 1986.pdf](https://www.msde.gov.in/assets/images/Notification/Standard Operating Procedure (SOP) for Enforcement of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.pdf).
- 118 Government of India. Seventh Schedule, The Constitution of India, Article 246. Enacted: 1947. [http://lawmin.nic.in/olwing/coi/coi-english/Const.Pock 2Pg.Rom8Fsss\(35\).pdf](http://lawmin.nic.in/olwing/coi/coi-english/Const.Pock 2Pg.Rom8Fsss(35).pdf).
- 119 Ministry of Home Affairs. Annual Report 2016-17. 2017. http://mha.nic.in/sites/upload_files/mha/files/annual_report_18082017.pdf.
- 120 Government of India, Ministry of Labour and Employment, Lok Sabha. Unstarred Question No. 1522 to be answered on 01.07.2019, child labour. June 26, 2019.
- 121 The New Indian Express. 43 rescued in four days under Operation Muskan. July 27, 2018. <http://www.newindianexpress.com/states/andhra-pradesh/2018/jul/27/43-rescued-in-four-days-under-operation-muskan-1849183.html>.
- 122 National Crime Records Bureau, Ministry of Home Affairs. Crime in India 2016. 2017. <http://ncrb.gov.in/>.
- 123 Express News Service. Importing, buying, selling minors from Bangladesh: Woman gets 10 years in jail. The Indian Express, April 4, 2018. <https://indianexpress.com/article/cities/kolkata/importing-buying-selling-minors-from-bangladesh-woman-gets-10-years-in-jail-5122555/>.
- 124 Thomson Reuters Foundation. Indian brothel owners get first life sentence for trafficking children. The Strait Times, March 28, 2018. <https://www.straitstimes.com/asia/south-asia/indian-brothel-owners-get-first-life-sentence-for-trafficking-children>.
- 125 U.S. Embassy- New Delhi official. Email communication with USDOL official. July 25, 2019.
- 126 U.S. Department of State official. Email communication with USDOL official. June 25, 2019.
- 127 U.S. Embassy- New Delhi official. Email communication with USDOL official. June 26, 2019.
- 128 Government of India. Constitution of Task Force for Ensuring Implementation of Child Labor Act. July 31, 2018. <https://labour.gov.in/sites/default/files/Constitution of Task Force dtd. 31.07.2018.pdf>
- 129 Ministry of Labour and Employment. First meeting of the Task Force to ensure implementation of the Child Labor Act. October 1, 2018. <https://labour.gov.in/sites/default/files/1st meeting of task force on 17.10.2018 dtd. 1.10.2018.pdf>.
- 130 Government of India. Ministry of Labour and Employment Resolution. January 20, 2017. https://labour.gov.in/sites/default/files/Gazette notification dtd. 24.01.2017_2.pdf.
- 131 Ministry of Labour and Employment. Shri @santoshgangwar ji, MoS (IC) for Labour & Employment chaired the meeting of Central Advisory Board. January 17, 2018. <https://twitter.com/labourministry/status/953612038638657536>.
- 132 National Commission for Protection of Child Rights. Homepage. Accessed February 6, 2019. <http://ncpcr.gov.in/>.
- 133 National Commission for Protection of Child Rights. State Commissions for Protection of Child Rights. Accessed February 6, 2019. <http://ncpcr.gov.in/index1.php?lang=1&level=0&linkid=100&lid=1309>.
- 134 National Commission for Protection of Child Rights. Minutes of the 35th Statutory Meeting of the Commission. August 24, 2018. <http://ncpcr.gov.in/showfile.php?lang=1&level=1&&sublinkid=1685&id=1685>.
- 135 National Commission for Protection of Child Rights. Minutes of the 34th Statutory Meeting of the Commission. March 20, 2018. <http://ncpcr.gov.in/showfile.php?lang=1&level=1&&sublinkid=1474&id=1598>.
- 136 National Commission for Protection of Child Rights. Workshop on Functioning of State Commissions for Protection of Child Rights. December 2, 2018. <http://ncpcr.gov.in/showfile.php?lang=1&level=1&&sublinkid=1747&id=1737>.
- 137 National Human Rights Commission. Human Rights Issues - Abolition of Bonded Labour. New Delhi. Accessed June 1, 2018. <http://nhrc.nic.in/hrissues.htm>.
- 138 Ministry of Labour and Employment. Annual Report of the Ministry of Labour and Employment 2014-2015. 2015. http://labour.nic.in/upload/uploadfiles/files/latest_update/what_new/5540adb5fc2bLEEnglishAnnualReport2015.pdf.
- 139 U.S. Embassy- New Delhi. Reporting. January 17, 2014.
- 140 Ministry of Labour and Employment. Committees and Advisory Board on Child Labour. July 8, 2014. <http://labour.nic.in/childlabour/committeesboards>.
- 141 Press Information Bureau. Core Group on Child Labour. Government of India, August 9, 2010. <http://pib.nic.in/newsite/erelease.aspx?relid=64427>.
- 142 Ministry of Labour and Employment. National Policy on Child Labour. 1987. Source on file.
- 143 Ministry of Labour and Employment. Annual Report of the Ministry of Labour and Employment 2017-2018. 2018. https://labour.gov.in/sites/default/files/ANNUAL_REPORT_2017-18-ENGLISH.pdf.
- 144 Ministry of Women and Child Development. Annual Report: 2017-18. Chapter 4: Child Protection and Welfare. <http://www.wcd.nic.in/sites/default/files/AR-2017-18 Chapter 4 to 7.pdf>.
- 145 Government of Jharkhand. State Action Plan for the Elimination of Child Labour. 2012. Source on file.
- 146 Government of Karnataka. Tate Resource Center on Child Labour. Accessed March 7, 2014. Source on file.
- 147 Government of Meghalaya. Meghalaya State Protocol on Child Labour. May 2014. <http://megpolice.gov.in/notification/Megh-state-protocol-child-labour.pdf>.
- 148 Government of Andhra Pradesh. State Action Plan for the Elimination of Child Labour. 2008. labour.ap.gov.in/pdfs/StateActionPlan.pdf.
- 149 Government of Gujarat. State Action Plan for the Elimination of Child Labour. 2008. Source on file.
- 150 Government of Bihar. State Action Plan for Elimination of Child Labour and Prohibitions and Regulation of Adolescent Labour. 2017. <https://labour.gov.in/sites/default/files/Annex-8.pdf>.
- 151 Government of Punjab. Punjab State Action Plan for the Total Elimination of Child Labour. nd. <https://www.pblabour.gov.in/Content/documents/Pdf/State Action Plan.pdf>.
- 152 Rajitha, S. State action plan against child labour gets approval. The New Indian Express. May 7, 2017. <http://www.newindianexpress.com/cities/hyderabad/2017/may/07/state-action-plan-against-child-labour--gets-approval-1602053.html>.
- 153 Ministry of Women and Child Development. The National Policy for Children. 2013. http://wcd.nic.in/sites/default/files/ncpenglish08072013_0.pdf.
- 154 Ministry of Women and Child Development. National Plan of Action for Children. 2016. <http://wcd.nic.in/sites/default/files/National Plan of Action 2016.pdf>.
- 155 Government of National Capital Territory of Delhi. Draft Policy on Rehabilitation and Combating Trafficking of Women and Children. August 3, 2018. <http://it.delhigovt.nic.in/writereaddata/Odr2018841287.pdf>.
- 156 Press Information Bureau. Mapping Areas for Data on Bonded Labour System. Government of India, December 7, 2011. <http://www.pib.nic.in/newsite/erelease.aspx?relid=78246>.

SIGNIFICANT ADVANCEMENT

- 157 Ministry of Labour and Employment. Platform for Effective Enforcement of Child Labour. Accessed February 8, 2019. <https://pencil.gov.in>.
- 158 Childline India Foundation. Childline. Accessed February 8, 2019. <http://www.childlineindia.org.in/>.
- 159 Ministry of Women and Child Development, and TrackChild 2.0. National Tracking System for Missing and Vulnerable Children. <http://trackthemissingchild.gov.in/trackchild/index.php>.
- 160 Ministry of Women and Child Development. Khoya-Paya. Homepage. Accessed February 8, 2019. <http://khoyapaya.gov.in/mpp/home>.
- 161 Ministry of Women and Child Development. Annual Report 2017-18. Chapter 2: Women Empowerment and Protection. [http://www.wcd.nic.in/sites/default/files/AR-2017-18 Chapter 1 & 2.pdf](http://www.wcd.nic.in/sites/default/files/AR-2017-18%20Chapter%201%20&%202.pdf).
- 162 USDOL. Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor. Accessed February 8, 2019. <https://www.dol.gov/agencies/ilab/projects/MAP16>.
- 163 Ministry of Human Resource Development. Sarva Shiksha Abhiyan. January 20, 2014. <http://ssa.nic.in/>.
- 164 Government of the National Capital Territory of Delhi. Standard Operating Procedures for the Immediate Release of Financial Assistance for Rescued Bonded Laborers. July 20, 2018. <http://delhi.gov.in/wps/wcm/connect/cdf955804659423c9b90fbceef772409/sop.pdf?MOD=AJPERES&Imod=698488554>.
- 165 Shanmughasundaram J. Bonded labour: When rescue does not mean release. January 24, 2019. <https://timesofindia.indiatimes.com/city/chennai/bonded-labour-when-rescue-does-not-mean-release/articleshow/67667881.cms>.

In 2018, Indonesia made a moderate advancement in efforts to eliminate the worst forms of child labor.

The government substantially increased its labor inspectorate funding from \$2.1 million in 2017 to \$10.2 million with specific funds allocated to enforcing child labor regulations. It also conducted 19,792 labor inspections and continued working with the International Organization for Migration to

establish a comprehensive integrated Trafficking in Persons database. However, children in Indonesia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as the result of human trafficking. Children also perform dangerous tasks in plantation agriculture, including in palm oil and tobacco production. The Ministry of Manpower continued to lack the financial resources and personnel necessary to adequately enforce child labor laws throughout the country. In addition, the Domestic Workers Protection Bill, which has been under consideration since 2010, continued to languish in parliament.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Indonesia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as the result of human trafficking. Children also perform dangerous tasks in plantation agriculture, including in palm oil and tobacco production. (1-10) Table 1 provides key indicators on children's work and education in Indonesia. Although the government collects national data on working children ages 5 through 14, it does not publish the data.

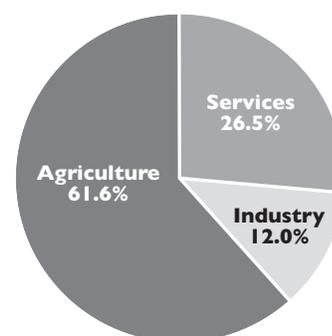
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	3.7 (816,363)
Attending School (%)	10 to 14	92.4
Combining Work and School (%)	10 to 14	2.1
Primary Completion Rate (%)		99.2

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (11)

Source for all other data: International Labor Organization's analysis of statistics from National Labor Force Survey (Sakernas), 2010. (12)

Figure 1. Working Children by Sector, Ages 10-14



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 and harvesting of palm oil, including growing, fertilizing,† cutting, spraying, collecting, and loading palm oil fruits (4,5,13,14)
	Planting, watering, harvesting, and applying fertilizer† to tobacco (2,3)
	Production of rubber;† including tapping trees and using acid† to thicken latex (2,6,13,15)
	Fishing, including on fishing vessels, in processing facilities, and on offshore platforms† (2,16-18)
Industry	Mining,† including gold, tin, and sand (2,15,18-19)
	Construction,† activities unknown (2,18)
	Production of footwear, including sandals (2,15)
	Production of bricks, tile, furniture, and textiles (20)
	Manufacturing pyrotechnics†(2,21,22)

Indonesia

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Street work, activities unknown (13,23)
	Driving buses (24)
	Garbage scavenging† (7,25)
	Horse jockeying (26,27)
	Domestic work (2,13,28)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including forced begging and the sale, production, and trafficking of drugs, each sometimes as a result of human trafficking (2,29-31)
	Domestic work and fishing, sometimes as a result of human trafficking (2,15,17,32)
	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (2,13,29,32,33)

† 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.

Children, mostly girls, are subjected to forced domestic work and commercial sexual exploitation abroad, primarily in Malaysia, Taiwan, and the Middle East; within the country, children are also subjected to forced domestic work and commercial sexual exploitation, particularly in Batam, Jakarta, Bali, Bandung, Bogor, Surabaya, and Medan. Research found that between 35,000 to 200,000 children in Indonesia work in the commercial sex trade. (2,8,13,34,35)

Children working in tobacco farming—especially in the provinces of East Java, Central Java, and West Nusa Tenggara—are exposed to pesticides, work long hours, and work in extreme heat. (2,3,9,36,37) Children working on agricultural plantations, including palm oil, coffee, and rubber plantations, collect fallen palm fruitlets and plants, and spray toxic herbicides. (2,4,10,38,39) Children are often recruited by family members to help adult palm oil laborers meet harvest quotas, which sometimes results in children working long hours into the night or dropping out school. (40,41)

Although the National Education Law mandates free education, research indicates that schools impose additional fees on students to cover school activities and educational items. These added expenses may hinder students’ ability to attend school. (2) Refugee children, as well as Indonesian children without proper birth documentation, face a barrier to accessing education because the government requires children to possess a government-sponsored student identification number to sit for exams and obtain a school completion certificate. In 2018, the government launched an online application system to process birth certificates, instead of applying in person, thereby helping Indonesian children obtain birth documentation more quickly so they can attend school. (14,42) Also in 2018, the Ministry of Foreign Affairs and Ministry of Education and Culture built schools near the Indonesia-Malaysia border of Sarawak, and Sabah, Malaysia, to increase education access for children of palm oil migrant laborers. (43)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Indonesia 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	✓

Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	✓

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

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 69 of the Manpower Act; Law on the Ratification of ILO C. 138 (44,45)
Minimum Age for Hazardous Work	Yes	18	Article 74 of the Manpower Act; Article 2 of Ministerial Decree No. 235 (45,46)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Annex F of Ministerial Decree No. 235: Jobs that Jeopardize the Health, Safety, or Morals of Children (46)
Prohibition of Forced Labor	Yes		Article 74 of the Manpower Act; Articles 1–6 and 17 of the Law on the Eradication of the Criminal Act of Trafficking in Persons; Article 83 of the Law on Child Protection (45,47,48)
Prohibition of Child Trafficking	No		Article 83 of the Law on Child Protection; Articles 1–6 and 17 of the Law on the Eradication of the Criminal Act of Trafficking in Persons (47,48)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 74 of the Manpower Act; Articles 81–82 of the Law on Child Protection; Article 297 of the Penal Code; Section 3 of the Law on the Ratification of the Rights of the Child Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography; Articles 4–12 and 37 of Law on Anti-Pornography (20,45,48-51)
Prohibition of Using Children in Illicit Activities	Yes		Article 74 of the Manpower Act; Articles 67, 78, and 89 of the Law on Child Protection (45,48)
Minimum Age for Voluntary State Military Recruitment	Yes		Article 28 of Law No. 34/2004 on the Indonesian National Armed Forces (52)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 28 of Law No. 34/2004 on the Indonesian National Armed Forces (52)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 3(d) of Law No. 9/2012 on Ratifying the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (53)
Compulsory Education Age	Yes	15	Article 48 of the Law on Child Protection; Articles 6 and 34 of the Act on the National Education System (48,54)
Free Public Education	Yes		Article 34 of the Act on the National Education System (54)

The government has yet to pass the draft Domestic Workers Protection Bill. This bill outlines the circumstances under which children ages 15 through 17 can perform non-hazardous domestic work, including requiring the parent's permission to execute the employment contract and prohibiting work at night. (20,55-59) Indonesia's prohibitions against child trafficking are insufficient because the Law on the Eradication of the Criminal Act of Trafficking in Persons requires threats, the use of force, or coercion to be established for the crime of child trafficking. (32,47,48)

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 Manpower (MOM) that may hinder adequate enforcement of their child labor laws.

Indonesia

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Manpower (MOM) Directorate General of Labor Development and Supervision and Directorate of Norms Supervision of Women and Child Workers	Provides information to employers on child labor laws and regulations, and works with law enforcement officials to prosecute child labor violators. (60) Refers children found during inspections to the local Women's Empowerment and Family Planning Body or to the Integrated Service Center for Empowering Women and Children for appropriate social services. In the case of the Directorate of Norms Supervision of Women and Child Workers, receives complaints of child labor by telephone, fax, or email. (14)
National Police, including Women and Children's Service Unit	Conducts inspections and raids; makes arrests in response to crimes, including those related to the worst forms of child labor. (29,61)
Ministry of Women Empowerment and Child Protection (MoWECP)	Coordinates the provision of social services to children, including those involved in child labor. In cooperation with the Ministry of Communications, operates a children's helpline in 20 provinces to receive complaints regarding child protection. (14)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Indonesia took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOM 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	\$2,100,000 (2)	\$10,200,000 (14)
Number of Labor Inspectors	1,987 (2)	1,619 (14)
Inspectorate Authorized to Assess Penalties	Yes (2)	Yes (14)
Initial Training for New Labor Inspectors	Yes (2)	Yes (14)
Training on New Laws Related to Child Labor	N/A (2)	N/A (14)
Refresher Courses Provided	Yes (2)	No (14)
Number of Labor Inspections Conducted	22,000 (2)	19,792‡ (14)
Number Conducted at Worksite	22,000 (2)	19,792‡ (14)
Number of Child Labor Violations Found	0 (2)	0 (14)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (2)	0 (14)
Number of Child Labor Penalties Imposed that Were Collected	0 (2)	0 (14)
Routine Inspections Conducted	Yes (2)	Yes (14)
Routine Inspections Targeted	Yes (2)	Yes (14)
Unannounced Inspections Permitted	Yes (2)	Yes (14)
Unannounced Inspections Conducted	Yes (2)	No (14)
Complaint Mechanism Exists	Yes (2)	Yes (14)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (14)

‡ Data covers period between January and September 2018.

Despite increasing its labor inspectorate funding in 2018, the government noted that there are still insufficient funds to cover office infrastructure, transportation, and gasoline for vehicles, which hampered labor inspectors' ability to carry out inspections. (14) Inspectors have the authority to conduct unannounced inspections in the formal sector; however, they are prohibited from inspecting private farms and homes in which the majority of child labor occurs. (3,14) Despite this prohibition, the Ministry of Women Empowerment and Child Protection responds to reports of child labor in the informal sector. (62) In 2018, the MOM conducted 10,528 routine labor inspections. Even though there was a large number of labor inspections in 2018, the MOM and the ILO believe that there are additional unreported child labor violations because of the government's lack of authority to inspect the informal sector. (14) These unreported child labor violations included 91 child labor cases, 80 commercial child sexual exploitation cases, and 92 child prostitution cases, all occurring in the informal sectors. (14,39)

Ministry of Manpower officials disclosed that there are an insufficient number of inspectors to cover the entire country, and the MOM continued to employ and rely on community-based monitors and neighborhood chiefs to report incidences of children engaged in domestic work. (14) The number of labor inspectors is likely insufficient for the size of Indonesia's workforce, which includes approximately 126 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in less developed economies, Indonesia would employ about 8,407 labor inspectors. (14,63,64) The MOM trained 118 new labor inspectors and investigators on child labor, hazardous child labor, and worst forms of child labor law enforcement. (14)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Indonesia 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 insufficient 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	Yes (2)	Yes (14)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (2)	Yes (14)
Refresher Courses Provided	Yes (2)	Yes (14)
Number of Investigations	Unknown (2)	Unknown (14)
Number of Violations Found	Unknown (2)	Unknown (14)
Number of Prosecutions Initiated	Unknown (2)	Unknown (14)
Number of Convictions	Unknown (2)	Unknown (14)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	N/A (39)	N/A (39)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (14)

In 2018, the Indonesian National Police investigated 28 child trafficking cases. The National Commission of Indonesian Child Protection reported 329 cases of child sexual exploitation, including 65 cases of human trafficking, 80 cases of commercial sexual exploitation, and 93 cases of child prostitution. (14) Also in 2018, USDOJ provided training on the dangers of online child sexual exploitation, and interview and effective communication skills to more than 500 Indonesian National Police personnel, NGOs, and civic organizations. (43) However, government data on criminal law enforcement efforts related to child labor, including the number of investigations, violations found, prosecutions initiated, and convictions, are not available—the government has a system to aggregate this information, but it has encountered challenges in classifying child labor cases, including developing case tags to accurately represent and aggregate comprehensive child labor data. (14,39) Although criminal law enforcement personnel received training on human trafficking laws that covered children, research found the current child labor-specific regulations to be insufficient. (2)

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 funding for child labor committees.

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

Coordinating Body	Role & Description
Provincial-Level and District-Level Regional Action Committees	Coordinate and monitor policy and program efforts and develop action plans to eliminate the worst forms of child labor at the local level. (65) Indonesia has provincial-level task forces in all 34 provinces and 192 district-level committees. (66) In 2018, these action committees were active and continued developing, coordinating, and monitoring action plans at the local level. (14)

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
National Task Force to Combat Trafficking in Persons	Coordinates anti-trafficking efforts across 21 ministries and government agencies, including efforts to combat child trafficking. (67) Chaired by the Coordinating Ministry of Human Development and Cultural Affairs, with task force meetings organized by MoWECP. (66) Provides vocational training and scholarships to school-aged children to reduce susceptibility to human trafficking. (68) In 2018, MoWECP established Community Watch groups (a collaborative effort with local governments, NGOs, community figures, and village stakeholders) in 314 villages in 31 municipalities and 14 provinces to combat human trafficking at the local level. (39)
Provincial and District Task Forces for the Prevention and Handling of Human Trafficking	Coordinate prevention and anti-trafficking efforts at the local level. (68) Commonly chaired by the local Integrated Service Center for Women and Children or the local Office of Social Affairs. Operates in 32 provinces and 191 out of 438 districts. (32,34) In 2018, these Task Forces created sub-task forces, led by the Ministry of Social Affairs (MoSA), to coordinate local meetings. (39)
Sub-Task Force on the Prevention of Child Participation in Trafficking in Persons	Organizes regular coordination meetings, provides technical trainings on human trafficking for government officials, and produces publications on the prevention of trafficking in persons. (14) Chaired by the Ministry of Education and Culture Director for Early Childhood, Non-formal, and Informal Education. (67) In 2018, 80 participants, including education agency officials and monitoring officials for junior and senior high schools and vocational schools, attended a workshop on preventing trafficking in persons. (39)
Indonesian Child Protection Commission (KPAI)	Monitors the implementation of the Child Protection Law and child protection policies and provides recommendations on the child protection framework to the President of Indonesia. (48,69) In 2018, KPAI monitored a total of 329 commercial child exploitation cases, of which 91 were child labor, 80 were commercial sexual exploitation, and 93 were child prostitution. (43)

The National Task Force to Combat Trafficking in Persons notes that some Provincial and District Task Forces lack sufficient funding and fail to incorporate its recommendations into their plans of action to adequately guide efforts to eliminate the trafficking of women and children. (20,35) These recommendations include empowering community activists to organize public awareness campaigns and conduct technical trainings to educate communities in provinces that are vulnerable to human trafficking, integrating and aligning human trafficking programs with other government programs to improve government efforts to combat human trafficking and avoid duplication, supporting cross-sectoral offices to establish the Internet for Children Program, and supporting the Ministry of Social Affairs' (MoSA) and the Ministry of Health's agreement on rehabilitation programs for human trafficking victims. (70)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan (NAP) for the Elimination of the Worst Forms of Child Labor (2002–2022)	Provides a policy framework for the elimination of child labor. Specific activities include improving data collection on the worst forms of child labor, increasing awareness-raising and advocacy efforts, and formulating regulations and policies to prohibit the worst forms of child labor. (61,71-73) In 2018, the government distributed NAP materials to businesses, NGOs, and villages in five regions in Indonesia. (14)
National Action Plan on Preventing Trafficking in Persons (2015–2019)	Guides the work of the National Task Force to Combat Trafficking in Persons. Aims to improve health and social rehabilitation services, as well as repatriation and social reintegration services, for human trafficking victims; update anti-human trafficking regulations; and strengthen the investigation of human trafficking cases and the prosecution of perpetrators. (74) Enhances coordination among task force members and between national and international stakeholders. (74) In 2018, agencies working on trafficking in persons issues identified and submitted their existing trafficking in persons databases to the International Organization for Migration, which is working with the government to establish a comprehensive integrated database. (43)
Roadmap Toward a Child Labor-Free Indonesia in 2022 (2014–2022)	Supports implementation of the NAP for the Elimination of the Worst Forms of Child Labor. Aims to mainstream the elimination of the worst forms of child labor into relevant national policies; strengthen coordination between stakeholders at the national, provincial, and district levels; and enhance the capacity of stakeholders to eradicate child labor. (67,75) In 2018, the government assisted 68 companies to implement child labor elimination programs, including reducing child labor through corporate social responsibility funding and campaigning local governments to allocate funding to reduce child labor. (14) The roadmap creates Child Labor-Free Industrial Zones. (39)

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 education-related fees for children in school.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL projects aim to build government capacity to address child labor by improving occupational safety and health for young workers, strengthening legal protections and social services delivery for child domestic workers, and improving child labor and forced labor data collection and research methodology. Includes PROMOTE: Decent Work for Domestic Workers to End Child Domestic Labor (2012–2018), a \$5 million project implemented by ILO-IPEC; and Building a Generation of Safe and Healthy Workers: Safe and Healthy Youth (2014–2019), an \$11.5 million project implemented by ILO with Indonesia as one of the countries. (40,76) Additional information is available on the USDOL website.
Child Trafficking Services†	MoSA and other government agency programs that provides social rehabilitation and shelter services for child victims of trafficking. (77,78) In 2018, MoSA conducted an assessment on participants' eligibility for <i>Program Kesejahteraan Sosial Anak</i> (social cash transfers for disadvantaged children, including victims of violence or exploitation such as trafficking) as well as on rehab and shelter services for them. (39)
Cash Transfer Programs†	Provides conditional cash transfers to help with formal and informal education opportunities and health expenses for vulnerable groups, including street children, abandoned children and infants, children facing criminal charges, children with disabilities, the poorest families, and child laborers who dropped out of school. Includes Smart Indonesia Program (KIP), a card that provides educational grants to all school-aged children whose families have a Family Welfare card or meet eligibility criteria covering both formal and informal education; Child Social Welfare Program (<i>Program Kesejahteraan Sosial Anak</i>), which provides conditional cash transfers to children; and Family Welfare Card (<i>Kartu Keluarga Sejahtera</i>), which provides a bank account and consolidates all financial assistance programs, including children's education and health funds, for low-income families. (14) In 2018, the government provided KIP cards to 19.4 million students, the government allocated \$497,000 to 7,000 abandoned children under age 18 through the Child Social Welfare Program, and a total of 10 million families received payments of \$132 through the Family Welfare Card program. (14,39)
Education Programs	Block Grants for Schools (<i>Bantuan Operasional Sekolah</i>)† grant program compensates schools for the loss of income from waiving school fees for poor and vulnerable children in primary, junior secondary, and senior high schools. (14,41) Minimum Service Standards of Basic Education Program improves access to quality public education by limiting the distance of primary and junior secondary schools from children's households, specifying minimum teacher-student ratios, and identifying minimum teacher education qualifications. (79,80) Community Learning Centers (CLCs)† provide education for children of palm oil workers. (34,81) Reducing Child Labor to Support the Family Hope Program (PPA-PKH)† provides special education services to prepare children who dropped out of school to work so they can return to school. Aims to reduce child labor among households targeted by PKH. (14) In 2018, there were 51 new CLCs added in Sabah (Kota Kinabalu, Tawau) and Kuching (Serawak). (34,81) Also in 2018, PPA-PKH helped more than 7,000 families in 56 districts/cities and 10 provinces. (14) The government also allocated approximately \$3.26 billion for Block Grants for Schools program distributed evenly among primary, junior secondary, and senior high schools for poor and vulnerable children across Indonesia. Lastly, an evaluation was conducted to determine whether the Minimum Service Standards for Basic Education Program was achieving its objectives. (39)

† Program is funded by the Government of Indonesia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2)

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 Indonesia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that threats, the use of force, or coercion does not need to be established for the crime of child trafficking.	2018
Enforcement	Permit labor inspectors to inspect private farms and homes for child labor violations.	2018
	Significantly increase the number of labor inspectors to meet the ILO's technical advice to provide adequate coverage of the workforce.	2010 – 2018
	Institutionalize refresher training for labor inspectors on laws related to child labor, including its worst forms.	2017 – 2018

Indonesia

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish criminal enforcement information, including the number of investigations conducted, violations found, prosecutions initiated, and convictions for crimes relating to child labor, including its worst forms.	2009 – 2018
	Ensure that all criminal law enforcement personnel receive training on child labor regulations.	2017 – 2018
	Ensure that labor inspectorate funding covers infrastructure, transportation, and fuel requirements to enable labor inspectors to carry out inspections.	2018
Coordination	Sufficiently fund Provincial and District Task Forces and require them to incorporate the recommendations of the National Task Force to Combat Trafficking in Persons into their plans of action on the elimination of trafficking of women and children.	2016 – 2018
Social Programs	Publish data on child laborers ages 5 through 14.	2016 – 2018
	Enhance efforts to eliminate barriers to education, including removing school-related fees and ensuring that all children are able to obtain a government-issued student identification number so they can attend school.	2016 – 2018
	Conduct research to determine the types of activities carried out by children, including in the plantation agriculture (palm oil), construction, and street work sectors, to inform social policies and programs.	2014 – 2018

REFERENCES

- Teo, Angie, and Kanupriya Kapoor. Indonesia launches fresh crackdown on child exploitation. Reuters, April 7, 2016. <https://www.reuters.com/article/us-indonesia-crime-children/indonesia-launches-fresh-crackdown-on-child-exploitation-idUSKCN0X40LH>.
- U.S. Embassy- Jakarta. Reporting. January 16, 2018.
- Human Rights Watch. "The Harvest is in My Blood": Hazardous Child Labor in Tobacco Farming in Indonesia. May 24, 2016. <https://www.hrw.org/report/2016/05/24/harvest-my-blood/hazardous-child-labor-tobacco-farming-indonesia>.
- Amnesty International. The Great Palm Oil Scandal. 2016. <https://www.amnesty.org/download/Documents/ASA2152432016ENGLISH.PDF>.
- Butler, Rhett. Child labor and palm oil in Indonesia. mongabay.com, December 23, 2014. <http://news.mongabay.com/2014/12/child-labor-and-palm-oil-in-indonesia/>.
- ILO. Child labour in plantation. http://www.ilo.org/jakarta/areasofwork/WCMS_126206/lang--en/index.htm.
- Winn, Patrick. The world is ignoring one of cheap oil's biggest victims. Public Radio International, December 12, 2016. <https://www.pri.org/stories/2016-12-12/world-ignoring-one-cheap-oil-s-biggest-victims>.
- ECPAT Indonesia. Global Study on Sexual Exploitation of Children in Travel and Tourism. June 2016. <http://www.ecpat.org/wp-content/uploads/2016/10/3.-SECTT-INDONESIA.pdf>.
- Lamb, Kate. 'I've been sick in the chest': Tobacco fields take toll on Indonesian children. The Guardian. June 26, 2018. <https://www.theguardian.com/world/2018/jun/26/tobacco-indonesia-child-labour-harvest>.
- UNICEF. Palm Oil and Children in Indonesia: Exploring the Sector's Impact on Children's Rights. 2016. https://www.unicef.org/indonesia/Palm_Oil_and_Children_in_Indonesia.pdf.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2014. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Save the Children. Eliminate Exploitative Child Labor Through Education and Economic Development (EXCEED). Technical Progress Report, March 2014. Source on file.
- U.S. Embassy- Jakarta. Reporting. February 6, 2019.
- U.S. Embassy- Jakarta. Reporting. November 1, 2017.
- McDowell, Robin, et al. AP Investigation: Slaves may have caught the fish you bought. March 25, 2015. <https://www.ap.org/explore/seafood-from-slaves/ap-investigation-slaves-may-have-caught-the-fish-you-bought.html>.
- IOM. Report on Human Trafficking, Forced Labour and Fisheries Crime in the Indonesian Fishing Industry. 2016. <https://www.iom.int/sites/default/files/country/docs/indonesia/Human-Trafficking-Forced-Labour-and-Fisheries-Crime-in-the-Indonesian-Fishing-Industry-IOM.pdf>.
- UN Committee on the Protection of the Rights of All Migrant Workers and Members of their Families. Concluding observations on the initial report of Indonesia, CMW/C/IDN/CO/1. October 19, 2017. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CMW/C/IDN/CO/1&Lang=en.
- Deutsche Welle. Indonesia: The Curse of treasure island. 2014. <http://www.dw.com/en/indonesia-the-curse-of-treasure-island/av-18084014>.
- U.S. Embassy- Jakarta official. Email communication to USDOL official. March 9, 2016.
- Putri, Restidia, and Richard C. Paddock. Out of Sixth Grade, and Straight to the Factory She Died In. October 30, 2017. <https://www.nytimes.com/2017/10/30/world/asia/indonesia-fireworks-fire-underage.html>.
- Hawley, Samantha. Tanzil was paid just \$6 a day to work in a fireworks factory which became an inferno. Australian Broadcasting Corporation, November 18, 2017. <http://www.abc.net.au/news/2017-11-18/jakarta-factory-fire-shines-light-on-unsafe-workers-conditions/9157262>.
- The Jakarta Post. Children struggle to survive on Jakarta's streets. April 2, 2016. <http://www.thejakartapost.com/news/2016/04/02/children-struggle-survive-jakarta-s-streets.html>.

- 24 McCarthy, Joe. Child Labor Is Most Rampant in These 5 Regions, New Report Shows. *Global Citizen*, November 16, 2017. <https://www.globalcitizen.org/en/content/child-labor-is-most-rampant-in-these-5-regions-new/>.
- 25 Agence France-Presse. As garbage mountains rise, Indonesian capital faces waste crisis. *Daily Mail*, December 13, 2015. <http://www.dailymail.co.uk/wires/afp/article-3357961/As-garbage-mountains-rise-Indonesian-capital-faces-waste-crisis.html>.
- 26 Agence France-Presse. Child jockeys, big stakes on Indonesia's horse-racing island. November 1, 2014. <http://sports.yahoo.com/news/child-jockeys-big-stakes-indonesias-horse-racing-island-045723853--rah.html>.
- 27 The Independent. Indonesia's five-year-old child jockeys stare down death to stave off poverty. August 9, 2014. <http://www.independent.co.uk/news/world/asia/indonesias-five-year-old-child-jockeys-stare-down-death-to-stave-off-poverty-9652560.html>.
- 28 UCW. The twin challenges of child labour and educational marginalisation in the South-East and East Asia region: An overview. May 1, 2014. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=25520>.
- 29 ILO Committee of Experts. Individual Observation Concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Indonesia (Ratification: 2000). Published: 2013. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3076116.
- 30 The Jakarta Post. Don't fall for child beggar scam, officials warn following syndicate crackdown. 2016. <http://www.thejakartapost.com/news/2016/03/27/dont-fall-child-beggar-scam-officials-warn-following-syndicate-crackdown.html>.
- 31 The Jakarta Post. Greater Jakarta: Children rented out, forced to beg. March 26, 2016. <http://www.thejakartapost.com/news/2016/03/26/greater-jakarta-children-rented-out-forced-beg.html>.
- 32 U.S. Department of State. Trafficking in Person Report- 2019: Indonesia Washington, DC, June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/indonesia/>
- 33 The Jakarta Post. Interpol, FBI to help investigate pedophile group. March 16, 2017. <http://www.thejakartapost.com/news/2017/03/16/interpol-fbi-to-help-investigate-pedophile-group.html>.
- 34 U.S. Embassy- Jakarta. Reporting. February 9, 2018.
- 35 U.S. Department of State. Trafficking in Person Report- 2018: Indonesia. Washington, DC, June 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/indonesia/>.
- 36 Human Rights Watch. "Indonesia" in World Report 2018 Book. January 16, 2018. <https://www.hrw.org/world-report/2018/country-chapters/indonesia>.
- 37 Wurth, Margaret. Did a Child Get Sick Farming the Tobacco in Your Cigarette? February 9, 2017. <https://www.hrw.org/news/2017/02/09/did-child-get-sick-farming-tobacco-your-cigarette>.
- 38 Rainforest Action Network. The Human Cost of Conflict Palm Oil – Indofood: PepsiCo's Hidden Link to Worker Exploitation in Indonesia. 2016. <http://bit.ly/2cDdv38>.
- 39 U.S. Embassy- Jakarta official. Email communication to USDOL official. June 26, 2019.
- 40 USDOL. PROMOTE: Decent Work for Domestic Workers to End Child Domestic Work: Project Summary. December 2012. <https://www.dol.gov/agencies/ilab/promote-decent-work-domestic-workers-end-child-domestic-work>.
- 41 World Bank Projects Database. Indonesia: BOS Knowledge Improvement for Transparency and Accountability. Accessed: June 2, 2015. <http://www.worldbank.org/projects/P107661/indonesia-bos-knowledge-improvement-transparency-accountability?lang=en>.
- 42 UNHCR. Submission by the United Nations High Commissioner for Refugees: For the Office of the High Commissioner for Human Rights' Compilation Report: Indonesia. September 2016. <https://www.refworld.org/publisher/UNHCR,,IDN,59158ed24,0.html>
- 43 U.S. Embassy- Jakarta. Reporting. March 11, 2019.
- 44 Government of Indonesia. Act of the Republic of Indonesia No. 20 of 1999 on Ratification of ILO Convention 138. Enacted: May 7, 1999. <http://fisipku.tripod.com/ipec/uuno20.htm>.
- 45 Government of Indonesia. Act of the Republic of Indonesia No. 13, Concerning Manpower. Enacted: 2003. [http://www.ilo.org/dyn/travail/docs/760/Indonesian Labour Law - Act 13 of 2003.pdf](http://www.ilo.org/dyn/travail/docs/760/Indonesian%20Labour%20Law%20-%20Act%2013%20of%202003.pdf).
- 46 Government of Indonesia. Concerning Jobs that Jeopardize the Health, Safety or Morals of Children, Ministerial Decree 235. Enacted: 2003. Source on file.
- 47 Government of Indonesia. The Eradication of the Criminal Act of Trafficking in Persons, No. 21. Enacted: 2007. Source on file.
- 48 Government of Indonesia. Child Protection Act, No. 23. Enacted: 2002. Source on file.
- 49 Government of Indonesia. Penal Code. Enacted: 1999. Source on file.
- 50 Government of Indonesia. On the Ratification of the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, No. 10/2012. Enacted: 2012. Source on file.
- 51 Government of Indonesia. Law on Anti-Pornography, No. 44/2008. Enacted: 2008. Source on file.
- 52 Government of Indonesia. Law No. 34/2004 on the Indonesian National Armed Forces. Enacted: 2004. Source on file.
- 53 Government of Indonesia. Law No. 9/2012 on Ratifying the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. Enacted: 2012. <http://www.kpai.go.id/files/uu/UNDANG-UNDANG-REPUBLIK-INDONESIA-NOMOR-9-TAHUN-2012-TENTANG-PENGESAHAN-PROTOKOL-OPSIONAL-KONVENSI-HAK-HAK-ANAK.pdf>.
- 54 Government of Indonesia. National Education Law, No. 20. Enacted: 2003. Source on file.
- 55 Amnesty International. Indonesia: Improved legal protections needed for domestic workers. Public Statement, London. February 14, 2015. <https://www.amnesty.org/download/Documents/ASA2100062015ENGLISH.pdf>.
- 56 ILO-IPEC. PROMOTE: Decent Work for Domestic Workers to End Child Domestic Work. Technical Progress Report, April 2015.
- 57 U.S. Embassy- Jakarta official. Email communication to USDOL official. December 29, 2016.
- 58 Banu, Zarina. Indonesia's domestic workers in legal limbo. *Al Jazeera*, February 22, 2014. <http://www.aljazeera.com/indepth/opinion/2014/02/indonesia-domestic-workers-lega-201422054320743142.html>.
- 59 Government of Indonesia. Draft Domestic Workers Protection Bill (translated). 2010. Source on file.
- 60 ILO. Labour Inspection Structure and Organization. http://www.ilo.org/labadmin/info/WCMS_153136/lang--en/index.htm.
- 61 U.S. Embassy- Jakarta. Reporting. January 16, 2014.
- 62 U.S. Department of State official. Email communication to USDOL official. May 23, 2018.
- 63 ILO Committee of Experts. Individual Direct Request Concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Indonesia (Ratification: 2000). Published: 2013. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3076113.

Indonesia

MODERATE ADVANCEMENT

- 64 CIA. The World Factbook [online] - Data provided is the most recent estimate of the country's total labor force. Cited: February 12, 2019. <https://www.cia.gov/library/publications/the-world-factbook/geos/id.html>
- 65 Government of Indonesia. Concerning Guidelines for the Formation of Regional Action Committees, the Establishment of Regional Action Plans, and the Empowerment of Communities in the Elimination of the Worst Forms of Child Labor, Article 6. Enacted: 2009. Source on file.
- 66 U.S. Embassy- Jakarta. Reporting. February 13, 2017.
- 67 U.S. Embassy- Jakarta. Reporting. January 16, 2015.
- 68 U.S. Department of State. Trafficking in Persons Report- 2016. Washington, DC, June 30, 2016. <https://www.state.gov/j/tip/rls/tiprpt/2016/index.htm>.
- 69 UNICEF. Championing child rights and child protection in Indonesia. 2015. https://www.unicef.org/protection/files/Indonesia_CP_system_case_study.pdf.
- 70 U.S. Embassy- Jakarta official. Email communication to USDOL official. March 7, 2018.
- 71 U.S. Embassy- Jakarta official. Email communication to USDOL official. January 23, 2014.
- 72 UN Committee on the Rights of the Child. Periodic Reports of States Issues: Indonesia. Prepared by the Government of Indonesia, Replies to List of Issues in Relation to the Combined Third and Fourth Periodic Reports of Indonesia, May 6, 2014. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CRC/C/IDN/Q/3-4/Add.1&Lang=en.
- 73 Government of Indonesia. The Decision of the President of the Republic of Indonesia, No. 59 of the Year 2002 on the National Plan of Action for the Elimination of the Worst Forms of Child Labor. Enacted: 2002. Source on file.
- 74 U.S. Embassy- Jakarta. Reporting. February 12, 2016.
- 75 Government of Indonesia. Roadmap Towards a Child Labour-Free Indonesia in 2022. 2014. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/publication/wcms_377170.pdf.
- 76 USDOL. Building a Generation of Safe and Healthy Workers: SafeYouth@Work: Project Summary. December 2014. <https://www.dol.gov/agencies/ilab/building-generation-safe-and-healthy-workers-safe-healthy-youth>.
- 77 U.S. Embassy- Jakarta. Reporting. February 24, 2014.
- 78 U.S. Embassy- Jakarta. Reporting. February 17, 2015.
- 79 U.S. Embassy- Jakarta official. Email communication to USDOL official. February 17, 2015
- 80 Government of Indonesia. Ministerial Regulation on Minimum Service Standard for Basic Education Program in the Municipality/Regency Level, No. 23/2013. Enacted: March 21, 2013. Source on file.
- 81 U.S. Embassy- Jakarta official. Email communication to USDOL official. February 14, 2019.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2018, Iraq made a minimal advancement in efforts to eliminate the worst forms of child labor. The Iraqi Kurdistan Parliament endorsed the Iraqi Law to Combat Human Trafficking. The Iraqi Ministry of Labor and Social Affairs increased the number of inspections, shut down several brick factories for violations of child labor laws, and continued its cash transfer program for at-risk children and families. However, despite new initiatives to address child labor, Iraq is receiving an assessment of minimal advancement because it continued a practice that delayed advancement in eliminating the worst forms of child labor. Iraqi and Kurdistan Regional Government (KRG) authorities continued to inappropriately detain and prosecute without legal representation children allegedly affiliated to ISIS—some of whom were victims of forcible recruitment and use—including using abusive interrogation techniques and torture to gain children’s confessions instead of screening these children as potential human trafficking victims. In addition, in 2018, some militia groups affiliated with the Popular Mobilization Forces, including Iranian-backed groups, recruited boys younger than age 18 to fight in Syria and Yemen. While these forces operated under the umbrella of the Popular Mobilization Forces—which was legally incorporated into the Iraqi defense forces in 2016—they generally remained outside of the command and control of the Iraqi government. Children in Iraq engage in other worst forms of child labor, including forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. Labor law enforcement suffers from an insufficient number of labor inspectors and a lack of funding for inspections, authority to assess penalties, and labor inspector training. There is no child labor policy in the Iraqi Kurdistan Region, and research could not find information on the implementation of the existing policy in Iraq. The government also continues to lack programs that focus on assisting children involved in the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Iraq engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. (1-4) Table 1 provides key indicators on children’s work and education in Iraq. 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	5.3 (454,330)
Attending School (%)	5 to 14	75.0
Combining Work and School (%)	7 to 14	4.2
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization’s analysis of statistics from Multiple Indicator Cluster Survey 4, 2011. (6)

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	Farming, including the production of dairy products (3,7,8)
	Herding livestock (8)
	Fishing, activities unknown (3)
Industry	Construction (7,8)
	Working in carpentry workshops (8,9)
	Making bricks (3,10-12)
	Working in factories, including glass, household cleaners, paint, steel, garments and textiles, perfume, electrical materials, and plastic recycling (3,7,8,10,11,13,14)
Services	Street work, including selling goods, pushing carts, cleaning cars, and begging (3,12,14-17)
	Working at gas stations† and auto repair and other shops (3,11,18-20)
	Working in landfills, scavenging and collecting garbage† and scrap metal (11,12,14,15,21,22)
	Domestic work (8)
	Working in hotels, restaurants, and tea houses (3,8,20)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including drug and weapon trafficking, sometimes as a result of human trafficking (3,4,24)
	Domestic work as a result of human trafficking (25-28)
	Forced begging, sometimes as a result of human trafficking (3,4)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,4,12,26,29,30)
	Recruitment of children by non-state armed groups for use in armed conflict (3,4,31)

† 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.

Despite ISIS losing control over the last remaining territory in Iraq in 2017, ISIS continued to carry out deadly attacks in Iraq throughout 2018. (68) ISIS continued to abduct and forcibly recruit and use children in combat and support roles, including as human shields, informants, bomb makers, executioners, and suicide bombers; some of these children were as young as the age of 8 and some were mentally disabled. (4,31)

In 2018, NGOs reported that some PMF-affiliated militias, including Iranian-backed Harakat Hezbollah al-Nujaba (HHN) and Asaib Ahl al-Haq (AAH), recruited boys younger than the age of 18 to fight in Syria and Yemen. Some AAH and Kataib Hizballah (KH) members or brigades recruited children, most commonly out of schools. (4) Some of the forces in the HHN, AAH, and KH militias operate under the umbrella of the Popular Mobilization Forces (PMF), which was legally incorporated into the Iraqi defense forces in 2016, but they generally operate outside of the command and control of the Iraqi government. (3,4,37) There were no reports of child soldiers used within the Iraqi military. (4)

During the reporting period, multiple sources reported the Kurdistan Worker’s Party and People’s Protection Units, operating in the Iraqi Kurdistan Region and Sinjar, continued to recruit and use children. Local NGOs reported that 2018 Yezidi militias in Sinjar, including the pro-KRG Ezidixan Protection Force and Sinjar Command Force, recruited approximately 10 to 20 Yezidi boys. (4)

Throughout the country, some girls were subjected to commercial sexual exploitation through temporary marriages. (25) This practice involves a dowry paid to the girl’s family and an agreement to dissolve the marriage after a predetermined length of time. (38) Syrian girls from refugee camps in the Kurdistan region were sometimes forced into early or temporary marriages with Iraqi or other refugee men; some KRG authorities allegedly ignored, or accepted bribes to ignore such cases, including those in which girls are sold multiple times. (25) NGOs reported in 2018 that women and girls in IDP camps, whose family members have alleged ties to ISIS, continued to endure a complex system of sexual exploitation, sex trafficking, and abuse by armed actors residing in the camps, security and military officials, and camp personnel controlling access to humanitarian assistance and services. Iranian girls were subjected to commercial sexual exploitation in the Kurdistan

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Region and Iraqi girls were trafficked to other Arab states in the region and to Europe for commercial sexual exploitation. (4) Child laborers were also exposed to sexual violence and abuse. (12)

In previous years, ISIS sold boys, who they considered too young or too weak to engage in armed conflict, into forced domestic work. (27,28) ISIS kidnapped and trafficked Yezidi children to Turkey for exploitation. (4) Some children in IDP camps who were suspected of having ties to ISIS were blocked from obtaining civil documentation and returning home or were subjected to commercial sexual exploitation. (4,39)

Children faced numerous barriers to accessing education, including displacement, the lack of schools nearby, the use of schools as shelters by internally displaced persons (IDPs), costs of transportation and school supplies, lack of sufficient educational facilities, and IDPs' and refugees' lack of identification documents. (3,7,12,26,40,41) In addition, children with suspected ties to ISIS may not have access to identification documents required for school enrollment. (39) According to UNICEF, over half of the schools in Iraq required repairs and the education of 3 million children had been interrupted. (3) UNICEF also reported that while 92 percent of children enroll in primary schools, only half of children from economically disadvantaged families complete primary school and only a quarter complete secondary education. (42) Additionally, some 50,000 Syrian refugee children do not attend formal school; however, this number is over-inclusive as it also counts children who receive permissible non-formal education. (43) For these refugees, the majority of whom live in the Kurdistan Region, access to education was limited because of security concerns, school-related costs such as transportation and uniforms, and language issues, due to most classes in the Kurdistan Region being taught in Kurdish, which Syrian children do not understand, rather than Arabic. (44)

As of October 2018, 1.86 million people, including about 900,000 children remained internally displaced, while 4.1 million individuals, including over 2 million children, had returned home to newly accessible areas. (45) This makes children vulnerable to child labor and child trafficking and limits the government's ability to address the worst forms of child labor.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Iraq 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 Iraq's legal framework to adequately protect children from child labor, including the prohibition of child trafficking.

Table 4. Laws and Regulations on Child Labor

Standard	Related Entity	Meets International Standards	Age	Legislation
Minimum Age for Work	Iraq	Yes	15	Article 7 of the 2015 Labor Law (46)
	Kurdistan Region	Yes	15	Article 90.1 of the 1987 Labor Law (47)

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

Standard	Related Entity	Meets International Standards	Age	Legislation
Minimum Age for Hazardous Work	Iraq	Yes	18	Article 95 of the 2015 Labor Law (46)
	Kurdistan Region	Yes	18	Articles 90.2 and 91.1 of the 1987 Labor Law (47)
Identification of Hazardous Occupations or Activities Prohibited for Children	Iraq	Yes		Articles 95 and 98 of the 2015 Labor Law; Ministry of Labor's Instruction 19 of 1987 (46,48)
	Kurdistan Region	Yes		Article 91.2 of the 1987 Labor Law; Ministry of Labor's Instruction 19 of 1987 (47,48)
Prohibition of Forced Labor	Iraq	Yes		Article 9 of the 2015 Labor Law; Articles 1 and 6 of the Law to Combat Human Trafficking (46,49)
	Kurdistan Region	Yes		Articles 91.3(a), 91.4, and 97 of the 1987 Labor Law; Articles 1 and 6 of the Law to Combat Human Trafficking (46,49)
Prohibition of Child Trafficking	Iraq	No		Articles 1 and 6 of the Law to Combat Human Trafficking (49)
	Kurdistan Region	No		Articles 91.3(a), 91.4, and 97 of the 1987 Labor Law; Articles 1 and 6 of the Law to Combat Human Trafficking (47,49)
Prohibition of Commercial Sexual Exploitation of Children	Iraq	Yes		Articles 399 and 403 of the Penal Code (50)
	Kurdistan Region	Yes		Articles 91.3(b), 91.4, and 97 of the 1987 Labor Law (47)
Prohibition of Using Children in Illicit Activities	Iraq	No		
	Kurdistan Region	Yes		Articles 91.3(c), 91.4, and 97 of the 1987 Labor Law (47)
Minimum Age for Voluntary State Military Recruitment	Iraq and Kurdistan Region	Yes	18	Section 6(2) of the CPA Order 22 (51)
Prohibition of Compulsory Recruitment of Children by (State) Military	Iraq and Kurdistan Region	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Iraq and Kurdistan Region	No		
Compulsory Education Age	Iraq	No	12‡	Articles 8.1.1 and 11.1 of the Education Law; Article 1.3 of the Law on Compulsory Education (52,53)
	Kurdistan Region	Yes	15	Articles 6 and 10 of the Kurdistan Regional Government Ministry of Education Law (54)
Free Public Education	Iraq	Yes		Article 34.2 of the Constitution; Article 9 of the Education Law (52,55)
	Kurdistan Region	Yes		Article 10 of the Kurdistan Regional Government Ministry of Education Law (54)

* No conscription (51)

‡ Age calculated based on available information

Article 117 of the Constitution of Iraq recognizes Kurdistan, which comprises the provinces of Dohuk, Erbil, Sulaimaniya, and Halabja, as a federal region. (55-58) Article 121 grants the Kurdistan region the right to exercise legislative and executive powers. (55) The Iraqi Kurdistan Parliament must endorse any laws passed by the Government of Iraq after 1991 for such laws to enter into force in the Iraqi Kurdistan Region. (56-58)

In Iraq, Article 1 of the Law to Combat Human Trafficking requires force or coercion to be present as an element of the crime of child trafficking, which is inconsistent with international standards, including Article 3 of the Palermo Protocol. (49) In July 2018, the Iraqi Kurdistan Parliament endorsed the Iraqi Law to Combat Human Trafficking, which means the operative trafficking standard there is also not in compliance with international standards. (59)

In Iraq, the provisions of the 2015 Labor Law protecting children from hazardous work do not apply to children ages 15 to 17 working in family businesses under the authority of family members. (46)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Moreover, under the Iraqi Education Law and under the Law on Compulsory Education, children are required to attend primary school for only 6 years, which is typically up to age 12. (52,53,60) This standard makes children ages 12 to 15 particularly vulnerable to child labor, because they are not required to be in school, yet they are not legally permitted to work.

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 authority of the Ministry of Labor and Social Affairs (MOLSA) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Related Entity	Role
Ministry of Labor and Social Affairs (MOLSA)	Iraq	Enforces child labor laws and regulations through its Child Labor Unit. Conducts research on child labor through its Childhood Welfare Authority. Receives complaints of child labor cases. (3)
Kurdistan Regional Government's Ministry of Labor and Social Affairs (KMOLSA)	Kurdistan Region	Enforces child labor laws and regulations in the Iraqi Kurdistan Region. Police units of the Kurdistan Regional Government's Ministry of Interior (KMOI) play a supporting role in the daily activities of the Ministry. (3)
Ministry of Interior	Iraq	Enforces criminal laws on the worst forms of child labor. Collaborates with MOLSA, the Iraqi Industries Federation, and the Confederation of Trade Unions to conduct inspection campaigns. (3) Maintains a hotline for victims of human trafficking that is routed directly to the Ministry's Anti-Trafficking Department. (3)
Kurdistan Regional Government's Ministry of Interior (KMOI)	Kurdistan Region	Investigates cases of commercial sexual exploitation and human trafficking. (3) In 2018, KRG established a Counter Trafficking Directorate within KMOI. (59)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Iraq took actions to combat child labor (Table 6). However, gaps exist within the authority and operations of MOLSA that may hinder adequate labor law enforcement, including an insufficient number of labor inspectors, and lack of funding for inspections, inspectors' lack of authority to assess penalties, and insufficient labor inspector training.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (7)	Unknown (3)
Number of Labor Inspectors	98 (7)	Unknown (3)
Inspectorate Authorized to Assess Penalties	No (46)	No (46)
Initial Training for New Labor Inspectors	No (7)	No (3)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (7)	No (3)
Number of Labor Inspections Conducted	9,129 (7)	Unknown (3)
Number Conducted at Worksite	Unknown (7)	Unknown (3)
Number of Child Labor Violations Found	0 (7)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	N/A	Unknown (3)
Routine Inspections Conducted	Yes (7)	Yes (3)
Routine Inspections Targeted	Yes (7)	Yes (3)
Unannounced Inspections Permitted	Yes (7)	Yes (3)
Unannounced Inspections Conducted	Unknown (7)	Unknown (3)
Complaint Mechanism Exists	Yes (7)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (3)

Iraq

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2018, although the exact numbers are unknown, MOLSA inspectors increased the number of inspections and shut down several brick factories in which children had been engaged in child labor. (3) Although the number of labor inspectors in Iraq during the reporting period is unknown, in 2018 the number of labor inspectors was likely insufficient for the size of Iraq’s workforce, which includes over 8.9 million workers. (61) According to the ILO’s technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Iraq would employ about 593 labor inspectors. (62,63)

In 2018, the KRG Ministry of Labor and Social Affairs (KMOLSA) did not provide child labor training to inspectors. However, the KMOLSA and the KRG Ministry of the Interior responded to referrals of child labor. (3) KMOLSA employed 21 labor inspectors who carried out 8,872 inspections. (64) This is a high number of inspections conducted by each inspector, and it is unknown whether this high number affected the quality of such inspections. Nevertheless, inspectors receive a small budget for transportation to worksites. The monthly budget for each of the 3 provincial directorates is about 1 million dinars (approximately \$840). (64) When inspectors identify child labor violations, they can issue warnings and instructions, or refer cases to court. In 2018, KMOLSA inspectors referred 82 cases to the court. (64)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Iraq 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 and prosecution planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	No (7)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	No (7)	N/A
Refresher Courses Provided	No (7)	Unknown (3)
Number of Investigations	Unknown (7)	Unknown (3)
Number of Violations Found	0 (7)	Unknown (3)
Number of Prosecutions Initiated	0 (7)	Unknown (3)
Number of Convictions	0 (7)	Unknown (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (3)

In 2018, Iraqi and KRG authorities continued to inappropriately detain and prosecute without legal representation children allegedly affiliated to ISIS—some of whom were victims of forcible recruitment and use—and used abusive interrogation techniques and torture to gain children’s confessions; the government did not screen these children as potential human trafficking victims. (4,32-36)

During the reporting period, the Ministry of Interior held several training workshops on countering human trafficking in which officials of the Ministry of Justice and MOLSA participated. (59) However, the KRG did not provide training for criminal investigators. (3)

In 2018, the Government of Iraq convicted 53 individuals of human trafficking, although it is unknown how many of these cases involved children. (59)

KRG officials stated that courts can refer cases of the worst forms of child labor to the KRG Ministry of Labor and Social Affairs. (13) The KRG Ministry of Interior investigated 85 cases of human trafficking, at least 2 of which involved children who were forced to beg. (3,59) KRG also convicted 7 individuals of human trafficking but it is not known whether any of the cases involved children. (59) Despite these efforts, the government did not investigate or hold anyone criminally accountable for continued allegations of unlawful recruitment and use of child soldiers. Furthermore, the government also failed to investigate and hold criminally accountable military and security personnel for credible allegations of the sexual exploitation of girls in IDP camps. (4) An NGO reported

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

in 2018 that police occasionally detained children engaged in street begging and kept them in custody before releasing them; police did not screen these children for trafficking nor refer them to appropriate protection services. (4)

Between 2014 and 2018, KRG officials rescued approximately 1,600 children who had been kidnapped, sold multiple times, and subjected to commercial sexual exploitation. (3) Some KRG authorities allegedly ignored, or may have accepted bribes to ignore, such cases, including those in which girls are sold multiple times. (4)

Some child victims of human trafficking and forced labor were held legally responsible for acts committed while being trafficked, particularly immigration violations. (25,58,65) Lack of sufficient coordination among judicial authorities and security forces across governorates led to re-arrests of some children previously cleared of charges related to ISIS. (66,67)

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 coordination among agencies to effectively process cases of children suspected of having ties with ISIS.

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

Coordinating Body	Related Entity	Role & Description
Inter-ministerial Committee on Child Labor	Iraq	Coordinates overall government efforts to combat child labor, research policies regarding child labor, and design and manage projects. Members included representatives from MOLSA and four other ministries. (18) In 2018, the Committee worked with UNICEF and other UN agencies on the development of an action plan to address the recruitment and use of children in armed conflict, although the action plan was not finalized at the end of the reporting period. (3)
Central Committee to Combat Trafficking in Persons	Iraq	Oversees the implementation of the Law to Combat Human Trafficking and serves as the national coordinating body on trafficking in persons. Led by the Ministry of Interior, and includes representatives from five ministries, the KRG Ministry of Interior, and two other state entities. (13,18) However, due to lack of sufficient coordination between judicial authorities and security forces in 2018, some children, who were suspected of affiliation with ISIS, cleared of allegations, and released from custody, were sometimes re-arrested for the same allegations. (32,66) In 2018, the Committee continued to oversee the implementation of the Law to Combat Human Trafficking. (3)
KRG High Committee on Human Trafficking	Kurdistan Region	Established in 2016, members include representatives of the KRG Ministry of Labor and Social Affairs and KRG Ministry of the Interior. In 2018, the High Committee supported the endorsement of the Iraqi Law to Combat Human Trafficking by the Iraqi Kurdistan Parliament. (3)
KRG Council of Ministers	Kurdistan Region	KRG Ministry of Interior and KRG Ministry of Labor and Social Affairs coordinate on child labor in the Iraqi Kurdistan Region through the KRG Council of Ministers. In 2018, the two KRG ministries coordinated on child labor issues. (3)

The KRG High Commission on Child Welfare has been inactive for several years and no longer plays a role in coordination efforts; instead, the KRG Council of Ministers provides the auspices under which KRG agencies coordinate on child labor issues. (3)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including coverage of all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Related Entity	Description
Child Protection Policy (2017–2022)	Iraq	Provides a holistic approach to addressing children’s needs, including ameliorating the child labor situation in the country through prevention, protection, and rehabilitation programs such as a poverty alleviation initiative, and educational and mental health services. Includes a component to provide rehabilitation and reintegration activities for children previously engaged in armed conflict and children who experienced trauma during the period of ISIS occupation. (3) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

Based on available information, there were no child labor policies in the Kurdistan Region. (3)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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

Table 10. Key Social Programs to Address Child Labor

Program	Related Entity	Description
Informal Education†	Iraq	Government-supported informal education systems, including evening school programs and the fast education mode that encourages children ages 12 to 18 who have dropped out of school to continue their education. (3) Research was unable to determine what steps were taken in 2018 to implement this program.
Conditional Subsidies Program†	Iraq	Provides assistance to low-income families for children to stay in school and out of the workforce. In 2018, MOLSA continued to provide cash assistance to low-income families to send their children to school. (3)
Shelters for Human Trafficking Victims†	Iraq	MOLSA-operated shelter in Baghdad for human trafficking victims, including children involved in the worst forms of child labor; other facilities are in Basrah, Kirkuk, and Ninewa provinces. (3) Research was unable to determine what steps were taken in 2018 to implement this program.

† Program is funded by the Government of Iraq.

Neither the Government of Iraq nor the KRG reported efforts to provide protection services to demobilized child soldiers of ISIS or the PMF, thus failing to prevent re-victimization or re-recruitment of these children into armed groups. (4) Likewise, research found no evidence of specific active programs to support children engaged in commercial sexual exploitation.

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 Iraq (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the laws comprehensively prohibit child trafficking in all parts of Iraq, including the Kurdistan Region, and do not require force or coercion for its application, in accordance with international standards.	2015 – 2018
	Ensure that hazardous work protections apply to all children, including children working in family businesses under the authority of family members.	2016 – 2018
	Ensure that the law in Iraq criminally prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2015 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2013 – 2018
	Increase the age of compulsory schooling in Iraq to at least age 15, the minimum age for work.	2009 – 2018

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that children under age 18 cannot join armed groups affiliated with the Popular Mobilization Forces to engage in combat.	2016 – 2018
	Publish law enforcement information, such as the funding of the labor inspectorate, number of inspectors, inspections, and violations.	2011 – 2018
	Authorize the labor inspectorate to assess penalties.	2017 – 2018
	Ensure that labor inspectors and criminal investigators receive training courses on child labor.	2016 – 2018
	Increase the number of labor inspectors to meet the ILO technical advice and ensure adequate funding to adequately enforce legal protections against child labor, including its worst forms.	2011 – 2018
	Determine whether the inspection ratio for each labor inspector is appropriate to ensure the quality and scope of inspections.	2018
	Publish information on criminal law enforcement on the worst forms of child labor in Iraq and the Iraqi Kurdistan Region.	2013 – 2018
Enforcement	Ensure that child victims of human trafficking are not prosecuted; that children are not arrested, detained, or denied services solely on the basis of their family members' perceived ties to ISIS; and that children suspected of ISIS affiliation are not subjected to torture.	2015 – 2018
Coordination	Through enhanced coordination among government agencies, ensure that children previously cleared of charges related to armed conflict are not at risk of re-arrest and re-prosecution.	2017 – 2018
Government Policies	Implement the Child Protection Policy in Iraq, and adopt a child labor policy in the Iraqi Kurdistan Region.	2018
Social Programs	Ensure that children are discouraged from enlisting in armed groups and receiving military training.	2015 – 2018
	Ensure that universal access to education is consistent with international standards, including for refugee and internally displaced children.	2013 – 2018
	Implement programs to address child labor in relevant sectors in Iraq, such as commercial sexual exploitation, informal education programs and shelters for human trafficking victims, and demobilize and reintegrate children engaged in armed groups.	2009 – 2018

REFERENCES

- Pasha-Robinson, Lucy. 'I was raped everyday': Yazidi girl speaks of horrors of being held as Isis sex slave. July 24, 2017. <http://www.independent.co.uk/news/world/middle-east/isis-sex-slave-yazidi-girl-northern-iraq-rape-sexual-abuse-experiences-a7857246.html>.
- UN Human Rights Council. Report of the Office of the United Nations High Commissioner for Human Rights on the human rights Situation in Iraq. March 27, 2015: Report A/HRC/28/18. <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Pages/ListReports.aspx>.
- U.S. Embassy- Baghdad. Reporting. January 9, 2019.
- U.S. Department of State. Trafficking in Persons Report- 2019: Iraq Washington DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/iraq/>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4, 2011. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Baghdad. Reporting. January 17, 2018.
- Terre des Hommes. Child labour among refugees of the Syrian conflict. August 28, 2016. <https://data2.unhcr.org/en/documents/details/50817>.
- Falah, Ahmed. Displaced Children in Iraq face child labor and exploitation. Iraqi Observatory for Human Rights, 2016. <http://rights-iq.org/3324/iraqi-displaced-children-in-iraq-face-child-labor-and-exploitation.html>.
- Bassem, Wassim. Underage and Trapped: Female Iraqi Factory Workers Need Help. Al-Monitor. September 2, 2014. <http://www.iraq-businessnews.com/2014/09/03/underage-and-trapped-female-iraqi-factory-workers/>.
- UNICEF. Childhood Cut Short. June 10, 2016. <https://medium.com/photography-and-social-change/childhoods-cut-short-d44fa863992d#gvxvqg6ly>.
- Al Amal Association and UNICEF. Rapid Assessment- Worst Forms of Child Labor. December 2015. <http://www.iraqi-alamal.org/uploads/pdf/2016/e15-06-2016.pdf>.
- U.S. Embassy- Baghdad. Reporting. January 13, 2017.
- Khoder, Salam. Child labour a growing problem in war torn Iraq. Al Jazeera, August 22, 2016. <http://www.aljazeera.com/news/2016/08/child-labour-growing-problem-war-torn-iraq-160808111630367.html>.
- Baghdad Post. As corruption goes rampant, Iraq children eat from garbage. July 31, 2017. <http://www.thebaghdadpost.com/en/story/115054/As-corruption-goes-rampant-iraq-children-eat-from-garbage>.
- Hartleib, Elisabeth. Child Labor in Iraq. Deutsche Welle, June 12, 2017. <http://www.dw.com/en/child-labor-in-iraq/av-39210131>.
- Al-Baghdadi, Wael. Child Labor Phenomenon Invading Iraqi Society. Erem News, March 23, 2014. <http://www.eremnews.com/?id=32697>.
- U.S. Embassy- Baghdad. Reporting. January 24, 2016.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 19 Nazeem, Maher and Hameed, Saif. Child labor doubles in Iraq as violence, displacement hit incomes. Reuters, July 10, 2016.
<http://www.reuters.com/article/us-mideast-crisis-iraq-children-idUSKCN0ZQ0DQ>.
- 20 UNICEF. What I would most like is to leave this job and go back to school. March 14, 2016.
<https://medium.com/stories-from-unicef-in-iraq-english/what-i-would-most-like-is-to-leave-this-job-and-go-back-to-school-2910fed16aff#.2pju1bwi>.
- 21 Westcott, Tom. Donors talk big on Iraq reconstruction, but Mosul residents go it alone. IRIN. February 15, 2018.
<https://www.irinnews.org/feature/2018/02/15/donors-talk-big-iraq-reconstruction-mosul-residents-go-it-alone>
- 22 Castelier Sebastian and Wilson Fache. Iraqi children scavenge for a living. Al Jazeera. March 29, 2016
<https://www.aljazeera.com/indepth/inpictures/2016/03/iraqi-children-scavenge-living-160321112736752.html>
- 23 Al-Marjani, Alaa. Sea of death: World's biggest cemetery filling up as Iraq's battle against Isis takes its toll. Reuters, August 23, 2016.
<http://www.ibtimes.co.uk/sea-death-worlds-biggest-cemetery-filling-iraqs-battle-against-isis-takes-its-toll-1577637>.
- 24 Mufti, Nermeen. Iraq Faces Worrisome Drug Problem. The Arab Weekly, November 9, 2016.
<http://www.thearabweekly.com/Society/6371/Iraq-faces-worrisome-drug-problem>.
- 25 U.S. Department of State. Trafficking in Persons Report- 2018: Iraq. Washington DC. June 28, 2018
<https://www.state.gov/reports/2018-trafficking-in-persons-report/iraq/>.
- 26 Human Rights Watch. Iraq: Forced Marriage, Conversion for Yazidis. October 12, 2014.
<http://www.hrw.org/news/2014/10/11/iraq-forced-marriage-conversion-yazidis>.
- 27 Elbagir, Nima, et al. ISIS' power is waning, but its child slave trade is still booming. CNN, October 18, 2017.
<https://www.cnn.com/2017/10/18/middleeast/isis-yazidi-slavery-child-slaves/index.html>.
- 28 The Associated Press. Yazidi boys describe captivity, indoctrination by ISIS. May 11, 2017.
<https://www.ctvnews.ca/world/yazidi-boys-describe-captivity-indoctrination-by-isis-1.3408397>.
- 29 Committee on Foreign Affairs, House of Representatives. Joint Hearing: Genocidal Attacks against Christian and other Religious Minorities in Syria and Iraq. September 10, 2014.
<http://foreignaffairs.house.gov/hearing/joint-subcommittee-hearing-genocidal-attacks-against-christian-and-other-religious>.
- 30 The New Arab. The Iraq Report: Children bought and sold in 'sex markets' by Baghdad Mafia. August 16, 2017.
<https://www.alaraby.co.uk/english/indepth/2017/8/16/the-iraq-report-child-trafficking-by-baghdad-mafia-exposed>.
- 31 UN Reporting 2018.
- 32 Human Rights Watch. Everyone Must Confess: Abuses against Children Suspected of ISIS Affiliation in Iraq. March 6, 2019.
<https://www.hrw.org/report/2019/03/06/everyone-must-confess/abuses-against-children-suspected-isis-affiliation-iraq>.
- 33 Hendawi, Hamza, Qassim Abdul-Zahra, and Maya Alleruzzo. Children of Islamic State group live under a stigma in Iraq. The Associated Press. October 15, 2018.
<https://www.apnews.com/c1e9793320584c12a97f88fd006974df>.
- 34 Becker, Jo. Kurdistan Region of Iraq: Detained Children Tortured. January 8, 2019.
<https://www.hrw.org/news/2019/01/08/kurdistan-region-iraq-detained-children-tortured>.
- 35 Madnick, Sam. In limbo: 'Isis children' in prison. Mail & Guardian: Johannesburg. January 18, 2019.
<https://mg.co.za/article/2019-01-18-00-in-limbo-isis-children-in-prison>
- 36 Human Rights Watch. KRG: Children Allege Torture by Security Forces. January 29, 2017.
<https://www.hrw.org/news/2017/01/29/krg-children-allege-torture-security-forces>.
- 37 U.S. Embassy Baghdad official. Email communication to USDOL official. May 10, 2018.
- 38 U.S. Department of State. Trafficking in Persons Report- 2014: Iraq. Washington, DC. June 2014.
<https://2009-2017.state.gov/documents/organization/226846.pdf>.
- 39 Amnesty International. The Condemned: Women and Children Isolated, Trapped, and Exploited in Iraq. April 17, 2018: MDE 14/8196/2018.
<https://www.amnesty.org/download/Documents/MDEI481962018ENGLISH.PDF>.
- 40 United National Security Council. Report of the Secretary-General on children and armed conflict in Iraq. November 9, 2015: Report S/2015/852.
<http://reliefweb.int/sites/reliefweb.int/files/resources/NI535632.pdf>.
- 41 UN Committee on the Rights of the Child. Concluding observations on the combined second to fourth periodic reports of Iraq. March 3, 2015: Report No. CRC/C/IRQ/CO/2-4.
http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/IRQ/CO/2-4&Lang=En.
- 42 UNICEF. Deep inequality continues to shape the lives of children in Iraq. November 19, 2018.
<https://www.unicef.org/press-releases/deep-inequality-continues-shape-lives-children-iraq>
- 43 UNHCR. 3RP Iraq Monthly Update - Education. October 2018.
https://reliefweb.int/sites/reliefweb.int/files/resources/3rp_2018_iraq_monthly_dashboard_october_2018.pdf
- 44 UNHCR. 2014 Syria Regional Response Plan: Iraq. 2014.
<http://www.unhcr.org/syriarrp6/docs/Syria-rrp6-full-report.pdf>.
- 45 UNICEF. Iraq Humanitarian Situation Report. October 2018.
https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF_Iraq_Humanitarian_Situation_Report_-_November_2018.pdf
- 46 Government of Iraq. Labor Law No. 37 of 2015. Enacted: October 15, 2015.
http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=96652&p_country=IRQ.
- 47 Government of Iraq. Labor Code, Law No. 71 of 1987, as amended by Coalition Provisional Authority Order 89 of May 30, 2004.
http://www.ilo.org/dyn/travail/docs/751/Coalition_Provisional_Authority_Order_No.89.pdf.
- 48 Government of Iraq. Minister of Labor and Social Affairs' Instructions No. 19 of 1987 on Works Prohibited for Children. Enacted: November 9, 1987.
http://www.iraq-ig-law.org/ar/webfm_send/555.
- 49 Government of Iraq. Law to Combat Human Trafficking, No. 28 of 2012. Enacted: April 4, 2012.
<http://moedu.gov.iq/upload/upfile/ar/22k.docx>.
- 50 Government of Iraq. Penal Code, Law No. 111 of 1969. Enacted: July 19, 1969.
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/57206/110681/F-1289690696/IRQ57206.pdf>.
- 51 Government of Iraq. Coalition Provisional Authority Order 22 on the Creation of A New Iraqi Army. Enacted: August 6, 2003.
<http://www.refworld.org/docid/468d0ae62.html>.
- 52 Government of Iraq. Law No. 22 of the Ministry of Education. Source on file. Enacted: September 13, 2011.
- 53 Government of Iraq. Compulsory Education Law No. 118 of 1976. Enacted: 1976.
http://www.iraq-ig-law.org/ar/webfm_send/233.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 54 Kurdistan Regional Government. Law No 27 of 2007, Third Amendment to the Law of the Ministry of Education No. Act, 1992. Enacted: December 10, 2007. <http://www.presidency.krd/docs/EducationMInistryAmendemnt3-34-2007-ar.pdf>.
- 55 Government of Iraq. Constitution of Iraq. Enacted: 2005. <http://www.washingtonpost.com/wp-dyn/content/article/2005/10/12/AR2005101201450.html>.
- 56 U.S. Embassy Baghdad official. Email communication to USDOL official. May 4, 2018.
- 57 Kurdistan Regional Government. The Kurdistan Region in Brief. <http://cabinet.gov.krd/p/page.aspx?l=14&s=050000&r=355&p=250&h=1>.
- 58 U.S. Consulate - Erbil and U.S. Embassy - Baghdad. Email communication to USDOL official. July 10, 2019.
- 59 U.S. Embassy - Baghdad. Reporting. February 13, 2019.
- 60 UNESCO. Education for All, EFA Global Monitoring Report, Teaching and Learning: Achieving Quality for All. 2014. <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>.
- 61 CIA. The World Factbook. Accessed May 21, 2018. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/fields/2095.html>.
- 62 ILO. Strategies and Practice for Labour Inspection. November 2006: (GB.297/ESP/3). Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 63 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York. 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 64 U.S. Consulate- Erbil. Reporting. January 13, 2019.
- 65 UN Committee on the Rights of the Child. Concluding observations on the report submitted by Iraq under article 12, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. March 5, 2015: Report No. CRC/C/OPSC/IRQ/CO/1. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPSC/IRQ/CO/1&Lang=en.
- 66 U.S. Embassy- Baghdad. Reporting. February 12, 2018.
- 67 Human Rights Watch. Iraq/Kurdistan Region: Risk of Double Trials. December 23, 2018. <https://www.hrw.org/news/2018/12/23/iraq/kurdistan-region-risk-double-trials-isis-ties>
- 68 UN General Assembly. Children and armed conflict - Report of the Secretary-General. A/73/907-S/2019/509. June 20, 2019. https://www.un.org/ga/search/view_doc.asp?symbol=S/2019/509&Lang=E&Area=UNDOC.

In 2018, Jamaica made a moderate advancement in efforts to eliminate the worst forms of child labor.

The government published the results of its Jamaica National Youth Activity Survey and increased its number of labor inspectors to meet recommended international enforcement standards. Jamaica also amended a key piece of legislation related to human trafficking and established the U.S.-Jamaica Child Protection Compact Partnership to combat child trafficking.

However, children engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and illicit activities. Children also perform dangerous tasks in agriculture, fishing, construction, domestic work, and in wholesale and retail. Jamaica's labor inspectorate lacks the authority to assess penalties for labor law violations and although the government has laws prohibiting the use of children in some illicit activities, it does not provide higher penalties for using, procuring, or offering children for the production and distribution of drugs compared to those for using adults.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Jamaica engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and illicit activities. (1,2) Children also perform dangerous tasks in agriculture, fishing, construction, domestic work, and in wholesale and retail. (3) Table 1 provides key indicators on children's work and education in Jamaica. Data on some of these indicators are not available from the sources used in this report.

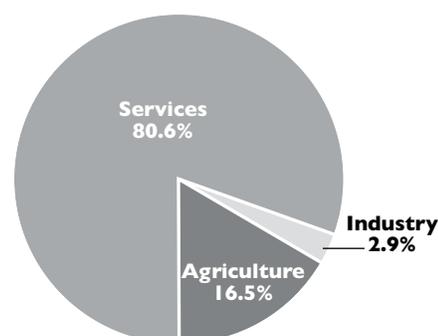
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	6.2 (30,111)
Attending School (%)	5 to 14	98.9
Combining Work and School (%)	7 to 14	7.2
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019.

Source for all other data: International Labor Organization's analysis of statistics from Jamaica Youth Activity Survey, 2016. (3)

Figure 1. Working Children by Sector, Ages 5-14



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	Farming, activities unknown (1,3,4)
	Fishing, activities unknown (1,3,5)
Services	Garbage scavenging, collecting scrap metal (1,6)
	Working in gardens, shops, and markets (1,4,5,7,8)
	Domestic work (1,4,6,8-12)
	Street work, including peddling goods and services, begging,† and vending (1,4,12,13)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,4,12,14)
	Forced labor in domestic work(2,4,9)
	Use in illicit activities, including executing financial scams and serving as drugs and guns couriers (1,2,4,6,8,12,14-17)

† 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.

Jamaica

MODERATE ADVANCEMENT

In 2018, the Statistical Institute of Jamaica and the ILO released the results of the Jamaica National Youth Activity Survey, which estimated that 53,274 children are engaged in child labor in Jamaica, with 48.9 percent engaged in hazardous work. Children perform hazardous work primarily in the domestic sector, in agriculture and fishing, in the wholesale and repair sectors, and in construction. (18) Children in rural areas are more likely to work, work more hours, and engage in hazardous work than children in urban areas. (3,18)

Jamaica is a destination and source country for commercial sexual exploitation of children. Jamaican children are trafficked for commercial sexual exploitation and forced labor to countries including the United States, the United Kingdom, and Canada. (9) Sources indicate that children, sometimes at the behest of parents or criminal leaders referred to as “dons,” are forced into commercial sexual exploitation. (1) Young girls, immigrant children, lesbian/gay/bisexual/transgender/intersex youth, children from poor families, and children from rural areas are particularly vulnerable to human trafficking and child sexual exploitation. (2,4)

Children also continue to be recruited by criminal organizations to engage in illicit activities, such as gang violence, guns and drug smuggling, and financial fraud, including lottery scamming. (1,2,4,14,17) Child domestic workers may be subjected to domestic servitude, and some children are subjected to forced begging. Many children are reported missing in Jamaica, some of whom may be subjected to forced labor. (2,4,19)

Although the law mandates free public education and school attendance rates are high, the cost for transportation, food, books, and clothing creates barriers to education for some children. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Jamaica 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 Jamaica’s legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children for the production and distribution of drugs.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 34(1) of the Child Care and Protection Act (20)
Minimum Age for Hazardous Work	Yes	18	Article 34(3) of the Child Care and Protection Act (20)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 34(3)(b) and 41 of the Child Care and Protection Act of 2004; Section 55 of the Factories Act: Docks (Safety, Health and Welfare) Regulations; Section 18 of the Mining Act; Section 49 of the Factories Act: Building Operations and Works of Engineering Construction Regulations (20-23)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 10 of the Child Care and Protection Act (20,24)
Prohibition of Child Trafficking	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 10 of the Child Care and Protection Act (20,24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 3 of the Child Pornography (Prevention) Act; Section 40 of the Sexual Offences Act (24-26)
Prohibition of Using Children in Illicit Activities	No		Section 4 of the Criminal Justice (Suppression of Criminal Organizations) Act (27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 18(2) of the Defence Act (28)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Section 28 of the Child Care and Protection Act (20)
Free Public Education	Yes		Section 13(k) of the Jamaican Charter of Fundamental Rights and Freedoms (29)

* No conscription (24)

In 2018, the government amended the Trafficking in Persons (Prevention, Suppression and Punishment) Act to allow human trafficking victims to pursue restitution in civil court. (2,4,30,31) The Jamaican government also initiated the process to amend the Child Care and Protection Act (CCPA) to increase the potential penalty of child trafficking from 10 to 20 years imprisonment, and to require that human trafficking cases be tried in Circuit Court. However, the planned revision of the Act would still allow for the payment of a fine in lieu of jail time. (2,4)

A Joint Select Committee convened in 2018 to consider other amendments to the CCPA and agreed to ban child labor in nightclubs, massage parlors, casinos/gaming areas and other places in which alcohol or mood-altering substances are served or likely used. The recommended amendment will be further debated in 2019. (4) The government continued to debate the Occupational Safety and Health Bill which was referred to a Joint Select Committee in November of 2018 but still has not been passed. (4) Regulations associated with the bill, if passed, will specify light work activities permitted for children ages 13 and 14. (1,4,32)

Still, Jamaican laws do not specifically include higher penalties for perpetrators who use, procure, or offer a child for the production and distribution of drugs. (20,27,33) Also, 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.

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 Social Security (MLSS) that may hinder adequate enforcement of child labor laws.

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Enforces and administers child labor laws in the formal sectors of the economy. The Child Labor Unit within MLSS coordinates and shares information with other agencies to address child labor issues. (34)
Child Protection and Family Services Agency (CPFSA)	Monitors and investigates suspected child labor violations and oversees efforts to address child labor. Housed under the Ministry of Education, Youth, and Information. (1,32,34) Receives complaints of child abuse, child labor, child trafficking, and commercial sexual exploitation of children through a hotline. Refers suspected cases of child abuse to law enforcement. (1,34)
Office of the Children's Advocate	Independently investigates reports of child abuse; partners with other agencies, including the CPFSA and police, to promote protection of children and address child labor. (34)
Jamaica Constabulary Force (JCF)	Enforces criminal laws, including those related to the worst forms of child labor. Investigates, through the Anti-Trafficking in Persons Unit, cases of child trafficking and commercial sexual exploitation. (34) Investigates, through the Center for the Investigation of Sexual Offenses and Child Abuse, cases of child and sexual offenses, and educates the public about sexual offenses against children. (1,35)
Office of the Director of Public Prosecutions	Prosecutes cases involving the worst forms of child labor. Protects and promotes human rights for all citizens. (36)
Office of the National Rapporteur on Trafficking in Persons	Monitors government efforts in protecting human trafficking victims, prosecuting cases, and implementing preventative measures. (4)
Ministry of Justice Victim Services Division	Provides emotional support, crisis management, and special intervention projects for children and adults. (4) Assists child victims of crime through the Children in Court Program, which offers victims access to social workers and counselors. (37)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Jamaica took actions to combat child labor (Table 6). However, gaps exist within the authority of the MLSS that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$389,804 (1,32)	Unknown (4)
Number of Labor Inspectors	13 (1)	150 (4,38)
Inspectorate Authorized to Assess Penalties	No (1)	No (4)
Initial Training for New Labor Inspectors	N/A (1)	Yes (4)
Training on New Laws Related to Child Labor	N/A (1)	Yes (4)
Refresher Courses Provided	Yes (1,32)	Yes (4)
Number of Labor Inspections Conducted	2,068 (32)	5,221 (4)
Number Conducted at Worksite	2,068 (32)	Unknown (4)
Number of Child Labor Violations Found	0 (1)	1 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (1)	0 (4)
Number of Child Labor Penalties Imposed that Were Collected	N/A (1)	0 (4)
Routine Inspections Conducted	Yes (1)	Yes (4)
Routine Inspections Targeted	Yes (1,32)	Yes (4)
Unannounced Inspections Permitted	Yes (1,32)	Yes (4)
Unannounced Inspections Conducted	Yes (1,32)	Yes (4)
Complaint Mechanism Exists	Yes (1,32)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1,32)	Yes (4)

In 2018, Jamaica increased the MLSS budget by 12 percent compared to 2017. The Ministry also retrained a significant portion of its existing labor inspectorate staff to increase the number of labor inspectors from 13 to 150, bringing the Labor Inspectorate in line with the ILO's technical advice for the ratio of inspectors to the size of the country's workforce. (4,39) The MLSS reported in 2018 that it had sufficient resources for facilities, transportation, fuel, and other necessities. (4) In July 2018, the Jamaican Labor Inspectorate took part in an ILO

workshop to instruct trainers on Labor Inspection, Child Labor, and Occupational Safety and Health. (40) In 2018, one child was removed from labor as a result of labor inspections. (4)

However, inspectors still do not have the authority to assess penalties, and only 90 of the 150 inspectors received training on child labor. Furthermore, ongoing refresher training, though available, is not required unless an administrative order or policy directive is issued. (4)

Child labor in Jamaica is mostly found in the informal sector; however, labor inspectors conduct inspections primarily in the formal sector, such as factories, building sites, docks, and ships. In 2018, there were no inspections in the informal sector, such as in rural areas, on family farms, or in homes. (1,4,6) Despite the presence of domestic child labor in Jamaica, inspectors are not allowed to enter and inspect private residences. (4)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Jamaica 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 allocating human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (1)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A (1)	Unknown
Refresher Courses Provided	Yes (1)	Unknown
Number of Investigations	25 (1)	Unknown
Number of Violations Found	3 (1)	5 (4)
Number of Prosecutions Initiated	3 (1)	Unknown
Number of Convictions	0 (1)	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Unknown

In 2018, the Jamaican government increased the Ministry of National Security’s budget by 9 percent compared to 2017. (4) Jamaica undertook several efforts to increase awareness of human trafficking, including joining the Blue Heart Campaign against Human Trafficking, a UN international awareness-raising initiative. In addition to identifying five cases of child sexual exploitation, the government also convicted at least two individuals involved in cases of child trafficking and commercial sexual exploitation of a child. (2)

During the reporting period, the MLSS published the “Standard Operating Procedures for Labour Officers, Inspectors (OSH and NIS), Investigators, and Social Workers,” which provides instructions to government workers when they encounter cases of human trafficking. (2) However, research indicates that the conviction rates for child labor crimes are very low in relation to the prevalence of these crimes, and cases take a long time to prosecute. Furthermore, bureaucratic processes inhibit the adequateness of the Counter-terrorism and Organized Crime Investigation Branch Anti-Trafficking Unit in investigating and prosecuting human trafficking cases. (4) Sources also indicate that prosecutors need additional training on the application of trafficking in persons laws for adequate prosecution of cases. (41)

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 clarity of institutional mandates and coordination among agencies.

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
MLSS Program for the Elimination of Child Labor	Coordinates the government's child labor policies and programs and identifies gaps in legislation across ministries. Collaborates with other ministries, such as the Ministry of Education, Youth, and Information, (CPFSA), the Ministry of Justice's National Task Force Against Trafficking in Persons (NATFATIP), and the Ministry of National Security, to address gaps in legislation. (42) Research was unable to identify whether this coordinating mechanism was functioning during the reporting period.
National Task Force Against Trafficking in Persons (NATFATIP)	Facilitates information exchanges between government agencies and external stakeholders and creates momentum for counter-trafficking efforts. Led by the Ministry of Justice, includes ministries and agencies across the government. Oversees implementation of the country's National Action Plan to Combat Human Trafficking. (6) Meets regularly with JCF, the Director of Public Prosecutions, and relevant ministries. (6,34) In 2018, NATFATIP, in collaboration with the U.S. Embassy in Jamaica, hosted a public forum for civil servants, academics, and law enforcement officials to discuss human trafficking trends and current investigations. (2)

Although the Child Protection and Family Services Agency has assumed a coordinating function between various agencies charged with protecting children, the organization is not mandated or resourced to play this role. As such, Jamaica lacks an effective agency to coordinate between child labor, human trafficking, and other child-related issues. (4)

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 the need for updated action plans in relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Human Trafficking (2015–2018)	Identifies objectives, actions, and responsible agencies to combat trafficking in persons, including commercial sexual exploitation of children and forced child labor, through prevention, protection, and prosecution. (17) The government's National Action Plan to Combat Human Trafficking (2015–2018) is out of date and there do not appear to be any plans to update or replace it. No substantive actions to execute policies under this plan were observed during the reporting period. (4)

The government indicated that it is still implementing its out-of-date National Action Plan on Child Labor 2015–2108 plan. The government is currently drafting a new Action Plan that it intends to release in 2019. (4,43) Child labor prevention and elimination strategies are still not integrated into the Compulsory Education Policy. (6,44)

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 adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Program for Advancement through Health and Education (PATH)†	\$35 million, Government of Jamaica and World Bank-funded, conditional cash transfer program that helps reduce child labor by requiring participants to attend school at least 85 percent of the academic days in a month. (45-47) The government increased funding for its PATH program in 2018, doubling the budget for its Rural Transportation Program and expanding it to all 12 parishes, thus providing school transportation to a total of 7,500 rural children. (4)
Citizen Security and Justice Program (CSJP)†	Cooperative crime and violence prevention initiative between the Government of Jamaica, the Inter-American Development Bank, the Department of Foreign Affairs, Trade and Development of Canada, and the Department for International Development of the United Kingdom of Great Britain and Northern Ireland. Provides services to 50 vulnerable communities in 8 different parishes, and includes the goal of preventing gangs, criminals, and other actors from recruiting children. (4) In 2018, the government increased funding for the CSJP for the 2018–2019 fiscal year by approximately 10 percent compared to 2017–2018. (4)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor through technical assistance and research. These projects include: Global Research on Child Labor Measurement and Policy Development (MAP), a research project implemented by the ILO in 10 countries to increase the knowledge base on child labor by collecting new data, analyzing existing data, and building capacity of the government to conduct research in this area; and Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II), a \$7 million project implemented by Winrock International and Lawyers without Borders in 6 countries aimed at reducing child labor through improved legislation, monitoring and enforcement, and national plan implementation. (48,49) Through the CLEAR II project, the government continued to review and finalize regulations pertaining to child labor, including light work and hazardous works lists, under the Occupational Safety and Health Bill. The project also provided technical assistance to the government for the development of a National Action Plan on Child Labor. (4,40) As part of the MAP project, Jamaica officially launched its National Child Labor Survey. (48) Additional information is available on the USDOL website.
U.S.-Jamaica Child Protection Compact (CPC) Partnership	Jointly-developed, 4-year plan partially funded by the U.S. government to enhance the efforts of the Jamaican government to combat child trafficking. Finalized in 2018, Jamaica committed to providing staff and resources to fulfill the project's objectives. (2)

† Program is funded by the Government of Jamaica.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (50-52)

Although Jamaica funds education-related social programs, current resources are insufficient and social programs do not fully address the scope and magnitude of the problem, including the worst forms of child labor. (4) Research found no evidence of programs targeting children working in agriculture, street work, commercial sexual exploitation, and other worst forms of child labor.

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 Jamaica (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that legislation includes higher penalties for the use of children for the production and distribution of drugs.	2009 – 2018
	Raise the minimum working age of 15 to conform with the compulsory education age of 18.	2018
	Pass legislation that will determine the specific light work activities and hours permissible for children ages 13 and 14 to facilitate enforcement.	2014 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
Enforcement	Authorize the labor inspectorate to assess penalties.	2014 – 2018
	Ensure that yearly refresher training is mandatory for all labor inspectors.	2018
	Collect and publish complete data on labor and criminal law enforcement efforts.	2018
	Ensure that labor inspections are conducted not only in the formal sector, such as factories, building sites, docks, and ships, but also in the informal sector in urban and rural communities.	2014 – 2018
	Provide sufficient training for prosecutors to address the worst forms of child labor, such as child trafficking.	2018
	Address bureaucratic barriers to effective investigation and prosecution of human trafficking cases, and ensure these cases are prosecuted in a timely manner.	2018
Government Policies	Reinstate and approve the National Action Plan on Child Labor and update or replace the National Action Plan on Human Trafficking	2016 – 2018
	Integrate child labor elimination and prevention strategies into the Compulsory Education Policy.	2014 – 2018
Coordination	Ensure that the Child Protection and Family Services Agency and any other relevant agency or coordinating body has the authority and resources necessary to effectively coordinate child labor policies.	2018
	Ensure that the Ministry of Labor and Social Security is implementing its Program for the Elimination of Child Labor.	2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

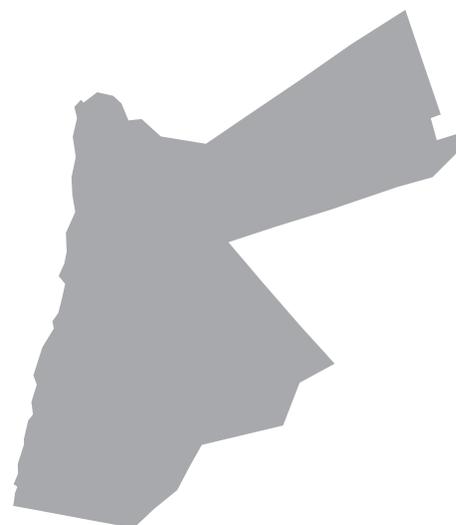
Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that school costs, such as uniforms, books, and transportation, do not diminish access to free public education.	2017 – 2018
	Expand programs to assist child laborers who are involved in street work, commercial sexual exploitation, agricultural work, and other worst forms of child labor.	2013 – 2018

REFERENCES

- U.S. Embassy- Kingston. Reporting. January 29, 2018.
- U.S. Embassy-Kingston, Reporting. March 5, 2019. Source on file.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Jamaica Youth Activity Survey, 2016, Analysis received January 12, 2018. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Kingston. Reporting. February 15, 2019.
- U.S. Embassy- Kingston. Reporting. January 29, 2016.
- U.S. Embassy- Kingston. Reporting. January 26, 2017.
- U.S. Embassy- Kingston. Reporting. January 30, 2015.
- Government of Jamaica, Office of the Children’s Registry. Interview with USDOL consultant. December 13, 2017.
- U.S. Department of State. Trafficking in Persons Report- 2017: Jamaica. Washington, DC, June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/jamaica/>.
- Brown, Calvin G. Child Labor Unit Calls for More Vigilance in Dealing with Child Labour in Jamaica. *Wiredja Online News*, August 17, 2016. <http://www.wiredja.com/news/justice/item/3473-child-labour-unit-calls-for-more-vigilance-in-dealing-with-child-labour-in-jamaica>.
- U.S. Department of Homeland Security official. Interview with USDOL consultant. December 13, 2017.
- Government of Jamaica, Office of the Children’s Advocate and TIP Rapporteur. Interview with USDOL consultant. December 13, 2017.
- Government of Jamaica, Permanent Secretaries of Labor and Social Security, Justice, Foreign Affairs and Education. Interview with USDOL consultant. December 12, 2017.
- UNICEF Country Representative. Interview with USDOL consultant. December 11, 2017.
- USAID. Interview with USDOL consultant. December 11, 2017.
- Government of Jamaica, Office of the Director of Public Prosecutions official. Interview with USDOL consultant. December 13, 2017.
- U.S. Embassy- Kingston. Reporting. February 8, 2018.
- International Labor Organization and the Statistical Institute of Jamaica. Report: Youth Activity Survey, 2016. 2018. Source on file. https://www.ilo.org/ipecc/informationresources/WCMS_IPEC_PUB_30058/lang--en/index.htm
- U.S. Embassy- Kingston. Reporting. April 30, 2018.
- Government of Jamaica. Child Care and Protection Act. Enacted: March 26, 2004. <http://www.moj.gov.jm/laws/statutes/The Child Care and Protection Act.pdf>.
- Government of Jamaica. The Factories Act: The Docks (Safety, Health, and Welfare) Regulations 1968, 315/69. Enacted: May 27, 1968. http://blue.lim.ilo.org/cariblex/jamaica_act4.shtml.
- Government of Jamaica. The Factories Act: The Building Operations and Works of Engineering Construction (Safety, Health, and Welfare) Regulations, 1968. Enacted: May 27, 1968. http://blue.lim.ilo.org/cariblex/jamaica_act3.shtml.
- Government of Jamaica. Mining Act. Enacted: October 13, 1947. <http://moj.gov.jm/sites/default/files/laws/Mining Act.pdf>.
- Government of Jamaica. Trafficking in Persons (Prevention, Suppression and Punishment) Act. Enacted: March 1, 2007. [http://www.cda.gov.jm/sites/default/files/content/Trafficking in Persons \(Prevention, Suppression and Punishment\)- I.pdf](http://www.cda.gov.jm/sites/default/files/content/Trafficking in Persons (Prevention, Suppression and Punishment)- I.pdf).
- Government of Jamaica. Sexual Offences Act, Act 12. Enacted: 2009. Source on file.
- Government of Jamaica. The Child Pornography (Prevention) Act. Enacted: October 21, 2009. http://www.japarliament.gov.jm/attachments/341_ The Child Pornography Act.pdf.
- Government of Jamaica. Criminal Justice (Suppression of Criminal Organizations) Act. Enacted: 2014. Source on file.
- Government of Jamaica. The Defence Act. Enacted: July 31, 1962. <http://moj.gov.jm/laws/defence-act>.
- Government of Jamaica. Charter of Fundamental Rights and Freedoms (Constitutional Amendment) Act, 2011. Enacted: April 8, 2011. http://tbinternet.ohchr.org/Treaties/CCPR/Shared Documents/JAM/INT_CCPR_NGO_JAM_103_9245_E.pdf.
- Jamaica Observer. House Approves Amendments to Trafficking in Persons Act. February 2, 2018. http://www.jamaicaobserver.com/latestnews/House_approves_amendments_to_Trafficking_in_Persons_Act?profile=1228&template=MobileArticle.
- Government of Jamaica. The Trafficking in Persons (Prevention Suppression and Punishment) (Amendment) Act 2018 No. 7 2018. Source on file.
- Government of Jamaica. Federal Register Notice Response to the Findings on the Worst Forms of Child Labor Report. January 31, 2018. Source on file.
- Government of Jamaica. The Dangerous Drugs Act. Enacted: April 15, 1948.
- U.S. Embassy- Kingston. Reporting. January 24, 2014.
- UNICEF. Child Protection. January 22, 2014. https://www.unicef.org/jamaica/partners_2061.html.
- Government of Jamaica, Office of the Director of Public Prosecutions. The Role of the Office of the Director of Public Prosecutions. <http://dpp.gov.jm/>.
- Jamaica Ministry of Justice. The Victim Services Division. <https://moj.gov.jm/victim-support-unit>.
- U.S. Embassy- Kingston. Official Email communication to USDOL official. July 15, 2019.
- U.S. Embassy- Kingston. Email communication to USDOL official. February 28, 2019.
- Winrock. CLEAR II Technical Progress Report. October, 2018. Source on file.
- Government of Jamaica, Office of the Director of Public Prosecutions official. Interview with USDOL consultant. December 11, 2017.
- U.S. Embassy- Kingston official. Email communication to USDOL official. April 16, 2015.
- U.S. Embassy- Kingston official. Email communication to USDOL official. February 27, 2019.
- Government of Jamaica, Ministry of Education, Office of the Chief Education Officer. Compulsory Education Policy: Career Advancement Programme. 2013. Source on file.

- 45 Government of Jamaica, Ministry of Labour and Social Security. PATH: "What is PATH?". 2006. Source on file.
- 46 Government of Jamaica, Ministry of Labour and Social Security. PATH: Beneficiary Responsibilities. <http://www.mlss.gov.jm/pub/index.php?artid=55>.
- 47 Lamanna, Francesca. Jamaica - Social Protection Project : P105024. Implementation Status Results Report: ISR8023, October 15, 2012. <http://documents.worldbank.org/curated/en/2012/10/16830792/jamaica-social-protection-project-p105024-implementation-status-results-report-sequence-09>.
- 48 USDOL. Global Research on Child Labor Measurement and Policy Development Technical Progress Report October, 2018 Source on file.
- 49 Winrock International. Launch of Country Level Engagement and Assistance to Reduce Child Labor (CLEAR II) Project in Jamaica. June 25, 2018. <https://www.winrock.org/launch-of-country-level-engagement-and-assistance-to-reduce-child-labor-clear-ii-project-in-jamaica/>.
- 50 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Jamaica (ratification: 2003). Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3254812:YES.
- 51 UN Human Rights Committee. List of issues in relation to the fourth periodic report of Jamaica, International Covenant on Civil and Political Rights. May 9, 2016. Source on file.
- 52 Government of Jamaica, Office of the Children's Registry. Child Abuse Statistics. <http://www.ocr.gov.jm/index.php/statistics>.

In 2018, Jordan made a moderate advancement in efforts to eliminate the worst forms of child labor. The government increased the number of labor inspections for the second consecutive year and enrolled over 130,000 Syrian refugee children in schools. In addition, the government continued to provide shelter, educational, and financial services to children engaged in child labor, including in the city of Irbid and in the Palestinian refugee camp in Marka. However, children in Jordan engage in the worst forms of child labor, including in street work. Children also perform dangerous tasks in agriculture. Insufficient resources hampered the Ministry of Labor’s capacity to ensure compliance with child labor laws in the agricultural sector. Despite government efforts, Syrian children still face barriers to accessing education due to costs associated with transportation, school fees, and supplies, among other issues. In addition, the government did not implement sufficient social programs to fully address child labor, particularly in agriculture, construction, and street vending.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Jordan engage in the worst forms of child labor, including in street work. (1-3) Children also perform dangerous tasks in agriculture. (4-6) Based on the 2016 National Child Labor Survey, approximately 70,000 children ages 5 to 17 are engaged in child labor, most commonly in agriculture and retail trade. Approximately 80 percent of child laborers are Jordanian and about 15 percent are Syrian. (5) Boys constitute nearly 90 percent of those involved in child labor. (5) Table 1 provides key indicators on children’s work and education in Jordan. Data on some of these indicators are not available from the sources used in this report.

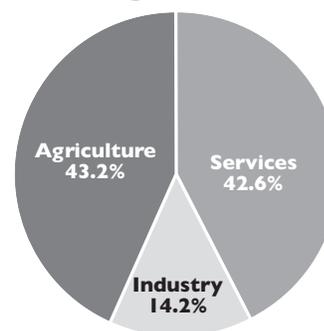
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	1.0 (33,182)
Attending School (%)	5 to 14	94.8
Combining Work and School (%)	7 to 14	1.0
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization’s analysis of statistics from National Child Labor Survey, 2016. (8)

Figure 1. Working Children by Sector, Ages 5-14



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	Farming, including weeding, planting, and harvesting tomatoes and olives (4-6,9-14)
Industry	Mining† and quarrying† (5)
	Construction,† including building and painting homes (1,5,6,15,16)
	Manufacturing, activities unknown (3,5)
	Carpentry† (1,15,16)
	Blacksmithing† (1,15)

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Repairing automobiles† (1,3,5,9,16)
	Attending donkeys, camels, and horses to transport tourists (17,18)
	Street work,† including selling items, washing cars, and begging (1-3,9,15-17)
	Scavenging scrap metal (19,20)
	Domestic work† (3,9)
	Food services, including working in restaurants and bakeries (3,5,9,15)
	Hotel services† (3,5)
	Hairdressing (17)
Working in retail, including cleaning shops (5,12,21)	
Categorical Worst Forms of Child Labor‡	Forced begging, sometimes as a result of human trafficking (22,23,24)
	Commercial sexual exploitation, sometimes as a result of human trafficking (23-26)

† 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.

While Syrian children are granted access to Jordanian public schools, over 73,000, or nearly one third of all Syrian refugee children, were not enrolled in formal or informal education in academic year 2017–2018. (3,27) These children face barriers to education, including bullying and harassment, the costs of transportation, uniforms, and school materials, and they are unprepared for their appropriate grade level due to interruptions in their early years of schooling. (6,28-31)

In order to expand education access for Syrian children, in 2017 Jordan waived a requirement for documentation for school enrollment. The government also continued to address the overcrowding of classrooms by providing double-shifted schools. (32,33) Out of approximately 3,800 schools in the country, Jordan had more than 746 double-shifted schools. (19,34,35) In 2018, 207 of the latter were for refugee children, mainly Syrian. (27,36) At these double-shifted schools, Jordanian children attend in the morning and Syrian children attend in the afternoon. (22,37) However, Jordanian and Syrian children attending double-shifted schools are vulnerable to child labor because the school hours are considerably shorter, and fewer school hours leave more time for work. (34,38)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Jordan 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 Jordan’s legal framework to adequately protect children from the worst forms of child labor, including non-state armed groups’ recruitment of children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 73 of the Labor Code (39)
Minimum Age for Hazardous Work	Yes	18	Article 74 of the Labor Code; Article 2 of Ministerial Order of 2011 (39,40)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 2 of the Ministerial Order of 2011 (40)
Prohibition of Forced Labor	Yes		Article 3(a)–(b) of the Law on the Prevention of Human Trafficking; Articles 17 and 77 of the Labor Code (39,41)
Prohibition of Child Trafficking	Yes		Article 3(a) of the Law on the Prevention of Human Trafficking (41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 298–299, 306, 310–311, 315, and 319 of the Penal Code; Article 3(b) of the Law on the Prevention of Human Trafficking (41,42)
Prohibition of Using Children in Illicit Activities	Yes		Article 8 of the Narcotic Drugs and Psychotropic Substances Act (43)
Minimum Age for Voluntary State Military Recruitment	N/A*		
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 3(a) of the National Service Act (44)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Articles 7(a.2) and 10(b) of the Education Act (45)
Free Public Education	Yes		Article 20 of the Constitution (46)

* No volunteers are accepted to join the armed forces. (36,47)

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 (MOL) 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 (MOL), Directorate of Labor Affairs and Inspection	Enforces labor laws, including those on child labor. Maintains a hotline to receive labor-related complaints, including complaints of child labor. (19) Identifies cases of child labor through worksite inspections and refers cases to the relevant services. Registers instances of child labor in a National Child Labor Database, which allows ministries to monitor and track children as they are identified and referred to services. (48) The hotline has operators during office hours, although operators who spoke foreign languages are not always available. The hotline has an automated message recording after 3 p.m. (27,36) The phone number is difficult to locate, and based on available information, operators rarely respond to voicemails left after working hours. (27,36)
Ministry of Labor, Child Labor Unit	Coordinates government efforts to campaign against child labor, conducts training, and raises awareness about child labor issues. (22)
Public Security Directorate, Criminal Investigation Unit	Investigates and prosecutes violations of the Penal Code, including allegations of the worst forms of child labor. Operates a section to combat human trafficking. (19)
Joint Anti-Trafficking Unit of the Ministry of Labor and Public Security Directorate	Investigates cases of human trafficking and forced labor, refers cases for prosecution, and coordinates with foreign embassies to identify victims of human trafficking and repatriate workers. (49)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Jordan took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including inspection planning.

MODERATE ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$422,715 (19)	\$422,715 (3)
Number of Labor Inspectors	200 (19)	135 (35)
Inspectorate Authorized to Assess Penalties	Yes (50)	Yes (50)
Initial Training for New Labor Inspectors	N/A	N/A
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (19)	Yes (35)
Number of Labor Inspections Conducted	6,337 (19)	8,603 (35)
Number Conducted at Worksite	Unknown	Unknown
Number of Child Labor Violations Found	553 (19)	671 (35)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (19)	Yes (3)
Routine Inspections Targeted	Yes (19)	Yes (3)
Unannounced Inspections Permitted	Yes (19)	Yes (3)
Unannounced Inspections Conducted	Yes (19)	Yes (3)
Complaint Mechanism Exists	Yes (19)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (4)

In 2018, the MOL identified 671 violations of child labor laws, involving 737 children. (3) When a labor inspector identifies a child laborer, the inspector issues a warning and a fine and asks the employer to send the child home while the inspector is still present. (34) A warning requires the employer to sign a pledge declaring that they will cease employing children. Without the pledge, the MOL can close the business. (22) The information about the child is then shared with the Ministry of Social Development, which contacts the family to identify the appropriate social services needed. If a child labor violation has been identified, the labor inspector conducts unannounced follow-up inspections at the worksite to ensure compliance. (34) As of November 2018, the MOL had issued 591 warnings, and 413 businesses signed pledges declaring that they will cease employing children. (51)

In 2018, although the MOL conducted more labor inspections than the previous year, it employed 65 fewer labor inspectors. (3,19,35) The current number of labor inspectors is likely insufficient for the size of Jordan's workforce, which includes more than 2.295 million workers. (3,52) According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Jordan would employ about 153 inspectors. (53,54)

Insufficient regulations and resources, and the migratory nature of the agricultural sector hampered the MOL's capacity to ensure compliance with child labor laws in the agriculture sector. (3,19,55) Based on the 2016 National Child Labor Survey, 43 percent of child laborers ages 5 to 14 work in agriculture. (5) In addition to ongoing national budget constraints, the MOL has not issued regulations on labor inspections in agriculture, which further limits its oversight in this sector. (34,55)

Jordanian children identified during labor inspections are referred to the Child Labor Unit of the Ministry of Social Development. (34,56) In contrast, Syrian refugee children who are identified during labor inspections were separated from their families and taken to the Azraq refugee camp. (34,57,58) The International Rescue Committee (IRC), with funding from UNICEF and UNHCR, operated a 24-hour reception center in Azraq that received Syrian refugee children picked up for both labor and other law infractions. If the child has extended family in the camp, the IRC placed the child in the family members' home. (27,59) Otherwise, the child stayed in housing at the reception center, where they are provided with a full range of services while the IRC negotiated with Jordanian officials to return the child to their family outside the camp, which may take days to months. (27,59) Consequently, families that live in the Zaatari refugee camp traveled a long distance to Azraq to reunite with their children. (27,34,57,58) Those families that live in host communities (i.e., about 80 percent of all Syrian refugees) feared that by presenting themselves at Azraq, they may also be forced to stay at the Azraq camp

and lose some benefits. (27,57,58) As of early 2019, the IRC closed the reception center, thereby reducing the number of children detained in the Azraq camp; however, according to UNICEF, the practice of detaining minors engaged in illegal labor continues, although at a reduced level. (27)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Jordan 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.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	N/A (59)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (60)	Yes (36)
Number of Investigations	Unknown	Unknown
Number of Violations Found	0 (59)	Unknown
Number of Prosecutions Initiated	0 (55)	Unknown
Number of Convictions	0 (55)	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (22)	Yes (22)

In 2018, the Joint Anti-Trafficking Unit conducted 23 workshops, with approximately 30 participants per session. Police officers and Ministry of Social Development staff participated in other trainings to counter human trafficking. (36) During the reporting period, the Joint Anti-Trafficking Unit investigated 301 cases, 20 of which were found to be human trafficking cases and an additional 13 were cases of forced labor. The Ministry of Justice prosecuted 18 cases of human trafficking that began in 2018, and 12 cases initiated previously but which led to convictions in 2018. (27,36) Research was unable to determine whether investigations were conducted on cases of forced begging or commercial sexual exploitation of children, even though there is evidence of these worst forms of child labor. (22-25)

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 efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
National Committee on Child Labor	Formulates new policies, amends legislation as necessary, and oversees the implementation of child labor policies, including the National Framework to Combat Child Labor. Led by MOL, members include three other ministries, plus international and civil society organizations. (61) Although the Committee did not meet in 2018, the ILO worked with committee members to finalize the unified inspection checklist to be used during labor inspections. (62)
National Committee for the Prevention of Human Trafficking	Coordinates government efforts to combat human trafficking; chaired by the Ministry of Justice. Other members include representatives from 10 state agencies, including the Counter Trafficking Unit, which is in charge of human trafficking investigations. (63) The Counter Trafficking Unit is jointly operated by the Public Security Directorate and MOL. (36) The Committee met on an <i>ad hoc</i> basis in 2018, and in October, it established a technical committee to meet monthly and coordinate government efforts to counter human trafficking. The Committee carried out an awareness-raising campaign, consisting of 211 lectures, including in the Zaatari refugee camp; TV interviews on the rights of domestic workers and resources available to them; and the affixing of stickers, which included the hotline number for reporting human trafficking cases, on passports of workers who entered Jordan as laborers. (36)

MODERATE ADVANCEMENT

Although Jordan has a National Committee for the Prevention of Human Trafficking to coordinate efforts to address trafficking in persons, it does not have coordinating mechanisms to address other forms of child labor, including street and farm work. (64)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Framework to Combat Child Labor	Outlines the roles and responsibilities of key government agencies, including the ministries of Education, Labor, and Social Development; NGOs; and other stakeholders involved in identifying and responding to cases of child labor. Based on the Framework, MOL inspectors monitor child labor and refer cases to the ministries of Social Development and Education for the provision of services. (65) In 2018, the government began working to update the National Framework, with emphasis on training and mentoring as new focal points for the Ministry of Social Development and Juvenile Police. (66) Also during the reporting period, at least 27 officials from MOL, Ministry of Social Development, and the Ministry of Education participated in training on the electronic National Child Labor Database, Jordan's child labor monitoring system for reporting and coordinating government services to child laborers. (66)
Jordan Response Plan for the Syria Crisis (2016–2018)	Integrates a refugee-oriented humanitarian response with a strategic plan for increasing resilience of local communities. The plan has a particular focus on economic strengthening, education, and social protection. (29) In academic year 2017–2018, nearly 130,000 Syrian refugee children were enrolled in formal education, and approximately 29,000 additional children attended informal education. (3)
Plan of Action to Eliminate Child Labor in Tourism in Petra	Employs counselors to respond to children at risk of truancy, raise children's awareness of the hazards of child labor and the significance of education, incorporate child labor prevention strategies into mainstream programs for legally employed children ages 16 and older, and inform students about high-quality employment in the tourism sector. (67) The policy was not implemented in 2018. MOL and the Ministry of Social Development expressed concern that there were no official employers in Petra with whom the ministries could engage. (62)

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 services to address child labor in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor (MAPI6)*	USDOL-funded project implemented by the ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to combat child labor and forced labor. (68) Additional information is available on the USDOL website.
Ministry of Social Development, Child Labor Unit†	Supports children engaged in child labor; returns them to school, and provides services to their families; provides vocational training for youth; organizes training on child labor for families; and maintains the website of the National Child Labor Database. (69) In 2018, the Ministry continued to work on bylaws to establish standard operating procedures on how to handle cases of child labor to replace the current <i>ad hoc</i> process. (64) Three surveys were finalized in 2018 that covered East Amman, Zatar camp, and Zarqa. The Unit implemented the case management methodology with Terre Des Hommes in Zarqa and Save the Children in Irbid. (62)
Child Begging Assistance†	Ministry of Social Development's centers in Madaba and Delail (Zarqa) provide social services to children engaged in begging. (27) In 2018, the Ministry continued to provide services to children engaged in begging. (3) Likewise, the center in Madaba was active in 2018 and provided services to children. (62)
Social Support Center in Marka†	ILO and MOL-funded center operated in cooperation with the ILO at Marka, the Palestinian refugee camp. Activities include identifying child laborers, providing services such as non-formal education, and assisting families in finding alternate forms of supplemental income. (19) In 2018, MOL continued to provide services to children, engaged in child labor. Services include non-formal education, rehabilitation and training programs for children who have dropped out of school, and helping families identify alternative sources of income. (3)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
National Aid Fund†	Under the Ministry of Social Development, the Fund pays families approximately \$63 a month through a conditional cash transfer program to withdraw their child from the labor market and re-enroll them in school. (19) In 2018, the Ministry continued this program. (3)
Non-Formal Education Centers‡	Funded by USAID and UNICEF and operated by the Ministry of Education and local NGO Questscope, these centers throughout the country seek to bring school dropouts, including those engaged in or at risk of child labor, back into the educational system. Children attend classes 3 hours a day in a flexible learning environment, with class sizes of around 20 students and specially trained teachers. (34,38) Targets children ages 13 and older. Upon completion of the curriculum, students receive a certificate indicating equivalency of a 10th-grade education. (38) A center in Petra provides services to children at risk of child labor in the tourism industry in Petra. (70) In academic year 2017–2018, over 29,000 children received non-formal education. (3)

* Program was launched during the reporting period.

† Program is funded by the Government of Jordan.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (71)

Although Jordan has programs that target child labor, the scope of these programs does not fully address the extent of the problem, including in agriculture, construction, and street vending.

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 Jordan (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2018
Enforcement	Improve the quality of the Ministry of Labor's hotline by ensuring operators, including those who speak foreign languages, are available outside business hours and ensuring the translated recorded message is of high quality.	2018
	Publish information about the number of inspections at worksites and the number of penalties imposed and collected for child labor violations.	2015 – 2018
	Increase the number of labor inspectors to meet the ILO technical advice.	2018
	Ensure that Ministry of Labor inspectors have the resources needed to carry out inspections in the agricultural sector, and ensure that regulations are issued to mandate labor inspections in agriculture.	2014 – 2018
	Ensure that refugee children identified during labor inspections are referred to social services and are not separated from their families by being taken to the Azraq refugee camp.	2016 – 2018
	Ensure that investigations are conducted on forced begging and commercial sexual exploitation of children, and publish information about the number of violations, prosecutions, and convictions involving child victims.	2015 – 2018
	Coordination	Ensure that the National Committee for the Prevention of Human Trafficking is able to carry out its intended mandate.
Establish coordinating mechanisms to combat all worst forms of child labor.		2018
Government Policies	Implement the Plan of Action to Eliminate Child Labor in Tourism in Petra.	2018
Social Programs	Continue to expand access to education for all children, including providing after-school programs or extending school hours.	2013 – 2018
	Institute programs to address the worst forms of child labor in agriculture, construction, and street vending.	2013 – 2018

MODERATE ADVANCEMENT

REFERENCES

- 1 ILO. Report of the rapid assessment on Child Labour in the Urban Informal Sector in three governorates of Jordan (Amman, Mafraq and Irbid). May 25, 2014.
http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms_246207.pdf.
- 2 UNICEF and Save the Children. Baseline Assessment of Child Labour among Syrian Refugees in Zaatari Refugee Camp - Jordan. November 2014.
http://www.unicef.org/jordan/ChildLabourAssessment_ZaatariCamp_2015.pdf.
- 3 U.S. Embassy- Amman. Reporting. January 14, 2019.
- 4 ILO. Rapid Assessment on Child Labour in the Agricultural Sector. February 2014.
http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms_246206.pdf.
- 5 Center for Strategic Studies, University of Jordan. National Child Labour Survey 2016 of Jordan - Summary Report on Main Findings. 2016.
<https://data.unhcr.org/syrianrefugees/download.php?id=11681>.
- 6 Human Rights Watch. "We're Afraid for Their Future" Barriers to Education for Syrian Refugee Children in Jordan. August 16, 2016.
<https://www.hrw.org/report/2016/08/16/were-afraid-their-future/barriers-education-syrian-refugee-children-jordan>.
- 7 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 8 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from the National Child Labour Survey, 2016. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 9 Syrian Network for Human Rights and Euro-Mediterranean Human Rights Monitor. Child Labor Among Syrian Children in Jordan. May 2016.
http://euromedmonitor.org/uploads/reports/Child-Labor_EN.pdf.
- 10 MacKinnon, Mark. Return to Zaatari: A lost generation of Syrians in the making. *The Globe and Mail*, December 30, 2015.
<http://www.theglobeandmail.com/news/world/return-to-zaatari-a-lost-generation-of-syrians-in-themaking/article27942941/>.
- 11 Schmidt, Samantha. How to Educate a Generation of Syrian Refugees? *Makeshift Classrooms and the Teacher Next Door. Yes! Magazine*, April 12, 2016.
<http://www.yesmagazine.org/peace-justice/how-to-educate-a-generation-of-syrian-refugees-makeshift-classrooms-and-the-teacher-next-door-20160412>.
- 12 Latta, Scott. The Stolen Childhood of Refugee Youth. August 31, 2016.
<https://www.mercycorps.org/articles/jordan-lebanon-syria/stolen-childhoods-refugee-youth>.
- 13 ILO. Decent Work and the Agriculture Sector in Jordan. October 2018.
https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_646170.pdf.
- 14 Tamkeen. Women in the Agricultural Sector. 2017.
[http://tamkeen-jo.org/upload/Women_in_Agricultre_Sector---_Hard_work_and_Harsh_Life_\(1\).pdf](http://tamkeen-jo.org/upload/Women_in_Agricultre_Sector---_Hard_work_and_Harsh_Life_(1).pdf).
- 15 Phenix Center for Economic and Informatics Studies. Child Labor in Jordan: Reality overrides policy. June 2016. Source on file.
- 16 Terre Des Hommes. Because We Struggle to Survive: Child labour among refugees of the Syrian Conflict. June 2016.
<http://www.terredeshommes.org/wp-content/uploads/2016/06/Child-Labour-Report-2016-ENGLISH.pdf>.
- 17 Bait Al Anbat. Combat Child Labor in Petra: Phase III. December 1, 2014.
<http://www.baitalanbat.org/home.asp?mode=more&NewsID=2144&atID=11&Lang=eng>.
- 18 Care for Petra. Child labour in the Petra Archaeological Park: an atypical case. March 2, 2016. Source on file.
- 19 U.S. Embassy- Amman. Reporting. January 16, 2018.
- 20 Save The Children. Children in Scrap Collection Research Paper. February 2014.
<http://haqqi.info/en/haqqi/research/children-scrap-collection-research-paper>.
- 21 Nagesh, Ashitha. Children who fled the war in Syria are forced to work 13-hour days for £2. *Metro*. July 12, 2017.
<http://metro.co.uk/2017/07/12/children-who-fled-the-war-in-syria-are-forced-to-work-13-hour-days-for-2-6774272/>.
- 22 U.S. Embassy- Amman. Reporting. January 20, 2016.
- 23 U.S. Department of State. Trafficking in Person Report- 2017: Jordan. Washington, DC, June 27, 2017.
<https://www.state.gov/reports/2017-trafficking-in-persons-report/jordan>.
- 24 U.S. Department of State. Trafficking in Person Report- 2019: Jordan Washington DC. June 20, 2019.
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/jordan/>.
- 25 Abu Hasnah, Baha. Authorities working to address sexual exploitation of underage girls. *The Jordan Times*, February 9, 2016.
<http://www.jordantimes.com/news/local/authorities-working-address-sexual-exploitation-underage-girls>.
- 26 UNHCR. "We Keep it in Our Heart" Sexual Violence against Men and Boys in the Syria Crisis. October 2017.
https://data2.unhcr.org/es/documents/download/60864#_ga=2.94088981.900380568.1512674280-1884466359.1507823747.
- 27 U.S. Embassy- Amman. Email communication to USDOL official. July 7, 2019.
- 28 ILO-IPEC. Moving Towards a Child Labour Free Jordan. October 2015: Technical Progress Report. Source on file.
- 29 Government of Jordan - Ministry of Planning and International Cooperation. Jordan Response Plan for the Syria Crisis 2016-2018. 2016.
<https://static1.squarespace.com/static/522c2552e4b0d3c39ccd1e00/r/56b9abe107eaa0afdc35f02/1455008783181/JRP+2016-2018+Full+160209.pdf>.
- 30 CARE. 8 Years into Exile. August 2018.
https://www.care-international.org/files/files/publications/reports-issue-briefs/2018_CARE_Needs_Assessment_Summary_web_final.pdf.
- 31 Baslan, Dina and Izza Leghtas. We Need to Help Jordan's Other Refugees. October 11, 2018.
<https://www.newsdeeply.com/refugees/community/2018/10/11/we-need-to-help-jordans-other-refugees>.
- 32 Van Esveld, Bill. A Good Move by Jordan for Syrian Children. *Human Rights Watch*, October 3, 2017.
<https://www.hrw.org/news/2017/10/03/good-move-jordan-syrian-children>.
- 33 Their World. Jordan to open its schools to Syrian refugee children who don't have official IDs. September 17, 2017.
<http://theirworld.org/news/jordan-lets-undocumented-syrian-refugees-in-state-schools>.
- 34 U.S. Embassy- Amman official. Email communication to USDOL official. May 10, 2017.
- 35 U.S. Embassy- Amman official. Email communication to USDOL official. February 7, 2019.
- 36 U.S. Embassy- Amman. Reporting. February 28, 2019.
- 37 U.S. Embassy- Amman official. Email communication to USDOL official. June 6, 2016.

- 38 U.S. Embassy- Amman. Reporting. January 19, 2015.
- 39 Government of Jordan. Labor Code and Amendments, No. 8 of 1996 (last amended under the interim Labor Code, Law No. 51 of 2002). Enacted: March 2, 1996. www.aproarab.org/Down/Jorddn/3amal.doc.
- 40 Government of Jordan. Order of Minister of Labor concerning Occupations that are Dangerous, Tiring or Harmful to the Health of Youth, related to the Provisions of Article 74 of Labor Code, Law No 8 of 1996 and its Amendments. Enacted: June 16, 2011. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=90849&p_country=JOR&p_classification=04.
- 41 Government of Jordan. Law No 9 of 2009 on the Prevention of Human Trafficking. Enacted: February 9, 2009. <http://www.protectionproject.org/wp-content/uploads/2010/09/Jordan-Anti-Trafficking-Legislation-2009-and-TIP-Law-2008.pdf>.
- 42 Government of Jordan. Penal Code, Law No 16 of 1960 (as amended). Enacted: 1960. Source on file.
- 43 Government of Jordan. Narcotic Drugs and Psychotropic Substances Act and its Amendments, Law No. 11 of 1988. Enacted: 1988. https://www.ispatula.com/?wpfb_dl=5180.
- 44 Government of Jordan. National Service Act, Law No. 23 of 1986. Enacted: May 7, 1986. Source on file.
- 45 Government of Jordan. Education Law No. 3 of 1994 and its amendments. Enacted: 1994. <http://www.moe.gov.jo/Departments/DepartmentsMenuDetails.aspx?MenuID=324&DepartmentID=5>.
- 46 Government of Jordan. The Constitution of The Hashemite Kingdom of Jordan. Enacted: 1952. <http://www.refworld.org/pdfid/3ae6b53310.pdf>.
- 47 Government of Jordan. Consideration of reports submitted by States parties under article 44 of the Convention - Combined fourth and fifth periodic reports of States parties due in 2011. CRC/C/JOR/4-5. March 1, 2013. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/JOR/4-5&Lang=en.
- 48 ILO. Jordan pilots National Framework to Combat Child Labour. June 11, 2013. http://www.ilo.org/beirut/media-centre/news/WCMS_215622/lang-en/index.htm.
- 49 U.S. Department of State. Trafficking in Person Reports- 2014: Jordan. Washington, DC, June 20, 2014. <https://2009-2017.state.gov/documents/organization/226847.pdf>.
- 50 ILO. Labour Inspection in Arab States: Progress and Challenges (Working Paper). 2014. http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_325618.pdf.
- 51 U.S. Embassy- Amman. Reporting. January 12, 2017.
- 52 CIA. World Factbook: Jordan. Accessed February 11, 2019. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 53 ILO. Strategies and Practice for Labour Inspection. November 2006: (GB.297/ESP/3). Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 54 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 55 U.S. Embassy- Amman official. Email communication to USDOL official. May 30, 2018.
- 56 U.S. Embassy- Amman official. Email communication to USDOL official. March 28, 2017.
- 57 Su, Alice. Jordan's illegal labor puzzle: Let Syrian refugees work or just survive? March 2, 2015. <http://america.aljazeera.com/articles/2015/3/2/jordans-illegal-labor-conundrum-let-syrians-work.html>.
- 58 Lutheran Immigration and Refugee Service. Childhood Interrupted: Lost Years for the Children of the Syrian Refugee Crisis. September 2016. https://www.lirs.org/assets/2474/lirs_childhood_interrupted_2016.pdf.
- 59 U.S. Embassy Amman official. Email communication to USDOL official. June 13, 2018.
- 60 U.S. Embassy- Amman. Reporting. February 27, 2018.
- 61 U.S. Embassy- Amman official. Email communication to USDOL official. April 2, 2015.
- 62 U.S. Embassy- Amman official. Email communication to USDOL official. May 12, 2019.
- 63 U.S. Embassy- Amman. Reporting. February 15, 2017.
- 64 U.S. Embassy- Amman. Reporting. September 26, 2018.
- 65 National Committee for Child Labor. National Framework for Combating Child Labor Jordan. 2011. <http://essaydocs.org/national-framework-for-combating-child-labor-jordan-2011-conte.html>.
- 66 ILO. Measurement, Awareness Raising, and Policy Engagement Project to Accelerate Action against Child Labour and Forced Labour. Technical Progress Report. October 2018. Source on file.
- 67 Petra Development and Tourism Region Authority. Plan of Action to Eliminate Child Labor in Tourism in Petra. April 23, 2015. http://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_26595/lang-en/index.htm.
- 68 ILO MAP Project Summary. 2017. <https://www.dol.gov/agencies/ilab/projects/MAP16>.
- 69 Ministry of Social Development. Terms of reference and administrative and functional description of the Child Labor Unit. 2015. Source on file.
- 70 U.S. Embassy- Amman official. Email communication to USDOL official. February 22, 2015.
- 71 Hussein, Rana. Shelter for human trafficking victims to officially open next year—Abu Hassan. The Jordan Times, December 9, 2015. <http://www.jordantimes.com/news/local/shelter-human-trafficking-victims-officially-open-next-year—abu-hassan>.

In 2018, Kazakhstan made a minimal advancement in efforts to eliminate the worst forms of child labor.

The Ministry of Education and Science, in cooperation with other government agencies, carried out targeted joint inspection operations in areas where child labor may occur, and the government adopted a new national action plan to counter trafficking in persons.

However, children in Kazakhstan engage in the worst forms of child labor, including in cotton harvesting and commercial sexual exploitation. The government lacks programs to address child labor in cotton harvesting, as well as current, comprehensive, and detailed research on child labor.

The government also does not have a policy that addresses all relevant forms of child labor in the country. In addition, the complaint mechanism did not allow for anonymous individuals to report violations of labor laws, and not a single case of child labor was reported to government hotlines on children's issues.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kazakhstan engage in the worst forms of child labor, including in cotton harvesting and commercial sexual exploitation. (1-4) Table 1 provides key indicators on children's work and education in Kazakhstan.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.2 (79,690)
Attending School (%)	5 to 14	90.7
Combining Work and School (%)	7 to 14	3.6
Primary Completion Rate (%)		109.7

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006. (6)

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	Farming, including producing vegetables, weeding, collecting worms, and harvesting cotton† (2,7-14)
Industry	Construction,† activities unknown (4,12,14)
Services	Working in markets and on the streets, including transporting and selling items (4,11,12,14-17)
	Domestic work, including child care (4,14)
	Working in gas stations (4,15)
	Car washing (4,12,15-17)
	Working as bus conductors (4,18)
Categorical Worst Forms of Child Labor‡	Working in restaurants† as waiters (15,16,19)
	Commercial sexual exploitation as a result of human trafficking (1,3) Forced begging as a result of human trafficking (3,4)

† 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.

There is no current and comprehensive research on child labor in Kazakhstan that can provide details about the number of children working in different sectors, the nature of their work, or the hazards involved.

Kazakhstan

MINIMAL ADVANCEMENT

Migrant children from the Kyrgyz Republic, some of whom may be unaccompanied, may engage in work in Kazakhstan. (14) Migrant children who are above the minimum working age theoretically have a right to a legal work permit, which would entitle them to work protections such as limited work hours. However, in practice, migrant children often cannot obtain legal work permits because they do not list “work” as their purpose for visiting the country when entering Kazakhstan. Thus, migrant children are often unable to work legally and have their labor rights protected. (14,20) Migrants from the Kyrgyz Republic, including children, do not obtain work permits due to lack of information, fear, corruption, and discrimination against migrants. For Kyrgyzstani children over age 16, unregulated status means that they may be subject to administrative fines, arrest, and detention with adults. (14) Children in an unregulated migration status also do not have the same free access to education as Kazakh citizens. (14) In addition, some school officials require migrants to provide individual identification numbers for enrollment, even though it is not legally required. This makes access to education even more difficult. (14) Some such children fall victim to forced child labor in Kazakhstan. (14)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Kazakhstan 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 Kazakhstan’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 31 of the Labor Code (20)
Minimum Age for Hazardous Work	No	18	Article 26.1(2) of the Labor Code; Article 153 of the Criminal Code (20,21)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 26.1(2) of the Labor Code; Decree of the Minister of Health and Social Development No. 944 of 2015 (20,22)
Prohibition of Forced Labor	Yes		Article 7 of the Labor Code; Article 135 of the Criminal Code (20,21)
Prohibition of Child Trafficking	Yes		Article 135 of the Criminal Code (21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 134–135 and 312 of the Criminal Code (21)
Prohibition of Using Children in Illicit Activities	Yes		Articles 132–133 and 135.2(9) of the Criminal Code; Article 26.1(2) of the Labor Code (20,21)
Minimum Age for Voluntary State Military Recruitment	Yes	19	Article 38.1(2) of the Military Service Act (23)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 31 of the Military Service Act (23)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 41 of the Law on Children's Rights; Articles 132 and 267 of the Criminal Code (21,24)
Compulsory Education Age	Yes	17‡	Article 30 of the Constitution (25)
Free Public Education	Yes		Article 8.2 of the Education Act (26)

‡ Age calculated based on available information (27,28)

According to Articles 26.1(2) and 31 of the Labor Code, protections, such as the minimum age for employment and prohibitions on hazardous work, are not extended to children engaged in non-contractual employment. (20)

Because the minimum age for work in Kazakhstan is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education.

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 Social Protection 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 Social Protection	Enforces child labor laws and conducts labor inspections through the Ministry's Committee on Labor, Social Protection and Migration. (29)
Ministry of Education and Science	Receives child labor complaints. An official from the province- or <i>oblast</i> -level Department of Education responds to reports of child labor and determines whether law enforcement should investigate the case. (29) If the case is in agriculture, local officials meet with parents and school officials to reinforce that children should be in school during the academic year. The Ministry's Center for the Adaptation of Minors provides assistance to victims of the worst forms of child labor and makes referrals to appropriate government services or NGOs for further assistance. (29)
Ministry of Internal Affairs	Identifies and carries out initial investigation of criminal cases of the worst forms of child labor. Through the Anti-Trafficking Unit of the Criminal Police Department, identifies and investigates cases of child trafficking. (29) The Anti-Trafficking Unit employed 40 officers during the reporting period (39)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Kazakhstan took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Protection that may hinder adequate labor law enforcement, including lack of an appropriate number of inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (4)	\$2.4 million (29)
Number of Labor Inspectors	320 (4)	261 (29)
Inspectorate Authorized to Assess Penalties	Yes (30)	Yes (30)
Initial Training for New Labor Inspectors	Yes (4)	Yes (29)
Training on New Laws Related to Child Labor	Yes (4)	N/A
Refresher Courses Provided	Yes (4)	Yes (29)
Number of Labor Inspections Conducted	10,748 (4)	6,681 (29)
Number Conducted at Worksite	10,748 (4)	6,402 (29)
Number of Child Labor Violations Found	7 (4)	6 (29)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (4)	4 (29)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (4)	4 (29)

Kazakhstan

MINIMAL ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Routine Inspections Conducted	Yes (4)	Yes (29)
Routine Inspections Targeted	Yes (4)	Yes (29)
Unannounced Inspections Permitted	Yes (31)	Yes (31)
Unannounced Inspections Conducted	Yes (4)	Yes (29)
Complaint Mechanism Exists	Yes (4)	Yes (29)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (29)

The number of labor inspectors is likely insufficient for the size of Kazakhstan’s workforce, which includes more than 8.97 million workers. (29, 32) According to the ILO’s technical advice of a ratio approaching 1 inspector for every 20,000 workers in transitional economies, Kazakhstan would employ about 449 inspectors. (33,34)

In June 2018, the Ministry of Education and Science, in cooperation with other government agencies, carried out targeted joint inspection operations (raids) in areas in which children were likely to engage in child labor, such as local markets, gas stations, and construction sites. The operations were part of an annual Twelve Days Against Child Labor campaign to detect child labor. (29) The raids resulted in about 9,000 site visits, during which officials identified 3 children working in gas stations. Also, in June 2018, the Ministry of Internal Affairs, in cooperation with other agencies, carried out an investigative campaign in which police identified 34 children in child labor, 2 of whom worked in the agriculture sector. (29) This investigative campaign fell outside the cotton harvest season, which is generally September through November, despite evidence that children engage in child labor to pick cotton. (2,35) Based on available information, penalties were assessed for four of the six child labor violations identified in regular labor inspections by the Ministry of Labor and Social Protection. (29)

In addition to regular inspections, the labor inspectors at the Ministry of Labor and Social Protection can respond to complaints of violations as long as they are not anonymous. The hotline of the Ministry of Education and Science’s Committee for the Protection of Child Rights and the hotline of the Ombudsman for Children’s Rights collectively received more than 2,800 calls, none of which were related to child labor. (29)

Criminal Law Enforcement

In 2018, the government’s criminal law enforcement agencies in Kazakhstan took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal law enforcement agencies that may hinder adequate criminal law enforcement, including investigation planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (4)	Yes (29)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (4)	N/A
Refresher Courses Provided	Yes (4)	Yes (29)
Number of Investigations	10 (4)	11 (29)
Number of Violations Found	16 (4)	11 (29)
Number of Prosecutions Initiated	9 (4)	11 (29)
Number of Convictions	3 (4)	2 (29)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	2 (29)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (29)

In 2018, the Ministry of Internal Affairs’ Legal Academy in the city of Karaganda held 7 training sessions for 116 police officers on the worst forms of child labor, including commercial sexual exploitation of children. In addition, the Law Enforcement Academy of the Prosecutor General’s Office conducted 2 training sessions for 93 prosecutors. (29) The Judicial Training Institute of the Supreme Court in Nur-Sultan (previously Astana) conducted 2 training sessions for 65 judges on the protection of trafficking victims, including children. (29) Nevertheless, an international organization reported that the regional offices of the Ministry of Internal Affairs

do not receive sufficient training to counter human trafficking. (14)

During the reporting period, the Ministry of Internal Affairs investigated 11 cases, including the commercial sexual exploitation of 9 children. Two perpetrators were convicted, and the nine victims were referred to social services. (29)

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 coordination efforts.

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

Coordinating Body	Role & Description
Committee for the Protection of Children's Rights	Works to protect children from exploitation. Operates under the Ministry of Education and Science at the <i>oblast</i> -level departments of education. (36) In 2018, the Committee participated in awareness-raising campaigns. (29)
Interagency Trafficking in Persons Working Group	Coordinates efforts to combat human trafficking and recommends improvements to anti-human trafficking legislation, prevention strategies, protection of victims, and the prosecution of offenders. (38) Chaired by the Ministry of Internal Affairs and the Ministry of Labor and Social Protection on a 2-year rotational basis. Its members include 13 state bodies, 2 international organizations, and 5 NGOs. The working group met twice in 2018. (29)
Ombudsman for Children's Rights	Monitors observance of the rights of children. Receives and responds to complaints about violations of children's rights. (4) In 2018, the office received calls unrelated to child labor. (29) The only reception office of the Ombudsman for Children's Rights is located in Nur-Sultan, making it difficult for complaints of violations in remote <i>oblasts</i> to be reported to the authorities. (14)

In 2018, the National Coordination Council on Child Labor did not meet. NGOs reported that it ceased to function due to lack of action and coordination of the parties involved. (29)

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 implementation of policies covering all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Counter Trafficking in Persons (2018–2020)†	Addresses priority areas, including (1) prevention of forced child labor in the cotton and construction sectors, (2) exchange of information among government agencies on human trafficking and child pornography, (3) research on the worst forms of child labor and the provision of recommendations, and (4) raising awareness of human trafficking among children. (29)

† Policy was approved during the reporting period.

Although the government adopted a new policy to counter human trafficking, it lacked an overall policy to address other forms of child labor.

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 problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Shelters for Trafficking Victims†	Funded by the government and operated by NGOs, shelters provide legal, psychological, medical, and educational services to survivors of human trafficking in nine cities, including Nur-Sultan and Almaty. The shelters provided services in 2018. (39)

Kazakhstan

MINIMAL ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Awareness-Raising Campaigns†	Raise public awareness on child labor issues. (4) In 2018, the Ministry of Education and Science, with the cooperation of other agencies, implemented the Twelve Days Against Child Labor campaign, consisting of nearly 32,000 national and local events, such as meetings, seminars, conferences, and competitions. (29)

† Program is funded by the Government of Kazakhstan.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (40)

Although the Government of Kazakhstan implemented programs to raise awareness about child labor in 2018, research found no evidence that it has carried out programs to assist children engaged in child labor, including in the production of cotton.

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 Kazakhstan (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's minimum age provisions and hazardous work prohibitions apply to all children, including those working without an employment contract.	2016 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice.	2014 – 2018
	Ensure that all investigators receive training on the TIP Law.	2018
Coordination	Ensure that individuals in remote areas of the country are able to file complaints about child labor violations with the Ombudsman for Children's Rights.	2018
Government Policies	Adopt and implement a national policy that covers all forms of child labor.	2017 – 2018
Social Programs	Conduct research to gather comprehensive data on child labor, including the activities carried out by children working in the construction and services industries, to inform policies and programs.	2013 – 2018
	Ensure that all children have access to education, particularly children with irregular migration status.	2018
	Institute programs to address child labor, particularly in the production of cotton.	2014 – 2018

REFERENCES

- IOM. The World Day Against Trafficking in Persons. July 30, 2015. <http://www.iom.kz/new/177-pr-votday>.
- UN Committee on the Rights of the Child. List of issues in relation to the fourth periodic report of Kazakhstan - Addendum: Replies of Kazakhstan to the list of issues. CRC/C/KAZ/Q/4/Add.1 Prepared by the Government of Kazakhstan. June 29, 2015. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/KAZ/Q/4/Add.1&Lang=en.
- U.S. Department of State. Trafficking in Persons Report- 2017: Kazakhstan. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/kazakhstan/>.
- U.S. Embassy- Astana. Reporting. January 19, 2018.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 3, 2006. Analysis received: March 12, 2019. Please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Kazakhstan General Newswire. Pupils from upper forms in South Kazakhstan region's rural district pick cotton instead of attending classes - prosecutor. Interfax, November 3, 2015. Source on file.
- Kazakhstan General Newswire. Cotton manufacturers refuse to buy cotton harvested using child labor. Interfax, September 8, 2015. Source on file.
- Isa, Dilara. In South Kazakhstan, children are still engaged in cotton harvest. Azattyq, September 22, 2015. <http://rus.azattyq.org/content/deti-na-uborke-khlopka-yug-kazakhstan/27261699.html>.
- UN Human Rights Committee. Replies of Kazakhstan to the list of issues in relation to the second periodic report of Kazakhstan CCPR/C/KAZ/Q/2/Add.1. Prepared by the Government of Kazakhstan, article 14 of the International Covenant on Civil and Political Rights. April 14, 2016. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/077/81/PDF/G1607781.pdf>.
- Kenzhebekova, Alma. Children's Personal Space. Azattyq, July 25, 2016. <http://rus.azattyq.org/a/kazakhstan-agma-detskiy-trud/27871247.html>.
- Medelbek, Ruslan. Exploitation of child labor has not stopped. Azattyq, June 12, 2014. <http://rus.azattyq.org/a/ispolsovanie-detskogo-truda/25418809.html>.
- Isa, Dilara. Child Labor in Cotton Fields. Azattyq, October 29, 2016. <http://rus.azattyq.org/a/detskiy-trud-khlopkovie-polya-maktaaral/28017853.html>.

- 14 International Federation for Human Rights (FIDH). Invisible and exploited in Kazakhstan: the plight of Kyrgyz migrant workers and members of their families. June 2018.
https://www.fidh.org/IMG/pdf/kyrgyz_migrant_workers_in_kazakhstan.pdf.
- 15 ILO. Report of the Committee of Experts on the Application of Conventions and Recommendations. February 5, 2014.
http://www.ilo.org/ilc/ILCSessions/103/reports/reports-to-the-conference/WCMS_235054/lang--en/index.htm.
- 16 IOM and the Commission on Human Rights under the President of the Republic of Kazakhstan. Special Report on Current Issues Affecting Human Rights Protection in the Area of Combating Trafficking in Persons in the Republic of Kazakhstan. May 2015.
<http://www.iom.kz/en/publications>.
- 17 Ismagulova, A. Reducing Child Labor. Pulse of the City (Pul's Goroda). July 7, 2016.
<http://bko.prokuror.kz/rus/novosti/stati/ogranichenie-detskogo-truda>.
- 18 U.S. Embassy- Astana. Reporting. January 20, 2016.
- 19 Ryazantseva, Liane. In Mangistau region 10 employers were fined for child labor. Lada, October 8, 2016.
https://www.lada.kz/aktau_news/incidents/41070-v-mangistauskoy-oblasti-desyat-rabotodateley-oshtrafovani-za-ekspluatatsiyu-detskogo-truda.html.
- 20 Government of Kazakhstan. Labor Code of the Republic of Kazakhstan, No. 414-V. Enacted: November 23, 2015.
http://online.zakon.kz/Document/?doc_id=38910832.
- 21 Government of Kazakhstan. The Criminal Code of the Republic of Kazakhstan, No. 226-V, as amended. Enacted: July 3, 2014.
http://online.zakon.kz/Document/?doc_id=31575252.
- 22 Government of Kazakhstan, Minister of Health and Social Development. Decree No. 944 of December 8, 2015, effective January 1, 2016. (The previous list of hazardous work for minors, Decree No. 391 of 2015 was repealed by Decree 971 of 2015, effective January 1, 2016. There are no substantive changes between Decree 944 and Decree 391). Enacted: December 8, 2015.
http://online.zakon.kz/Document/?doc_id=35844164.
- 23 Government of Kazakhstan. Law No. 561-IV on Military Service and the Status of Military Personnel, as amended. Enacted: February 16, 2012.
http://online.zakon.kz/Document/?doc_id=31130640.
- 24 Government of Kazakhstan. Law No. 345-II on Children's Rights (as amended). Enacted: August 8, 2002.
https://online.zakon.kz/m/Document/?doc_id=1032460.
- 25 Government of Kazakhstan. Constitution of the Republic of Kazakhstan. Enacted: August 30, 1995.
http://online.zakon.kz/Document/?doc_id=1005029#sub_id=100000.
- 26 Government of Kazakhstan. Law No. 319-III On Education, as amended. Enacted: July 27, 2007.
http://online.zakon.kz/Document/?doc_id=30118747.
- 27 US Embassy Nur-Sultan official. Email communication to USDOL official. May 14, 2019.
- 28 OECD (Organisation for Economic Co-operation and Development). Education Policy Outlook: Kazakhstan. 2018.
<http://www.oecd.org/education/Education-Policy-Outlook-Country-Profile-Kazakhstan-2018.pdf>.
- 29 U.S. Embassy- Astana. Reporting. February 19, 2019.
- 30 ILO LAB/ADMIN. Labour Inspection Structure and organization- Kazakhstan, ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
http://www.ilo.org/labadmin/info/WCMS_156049/lang--en/index.htm.
- 31 Government of Kazakhstan. The Entrepreneurial Law of the Republic of Kazakhstan, No. 375-V. Enacted: October 29, 2015.
https://tengrinews.kz/zakon/parlament_respubliki_kazakhstan/konstitutsionnyy_stroy_i_osnovyi_gosudarstvennogo_upravleniya/id-K150000375/#z1258.
- 32 CIA. The World Factbook. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://www.cia.gov/library/publications/the-world-factbook/geos/kz.html>.
- 33 ILO. Strategies and Practice for Labour Inspection. November 2006: GB.297/ESP/3. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 34 UN. World Economic Situation and Prospects 2017, Statistical Annex. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 35 Better Cotton Initiative. Kazakhstan. 2019.
<https://bettercotton.org/about-better-cotton/where-is-better-cotton-grown/kazakhstan/>.
- 36 U.S. Embassy- Astana. Reporting. January 29, 2015.
- 37 U.S. Embassy Astana official. Email communication to USDOL official. February 17, 2017.
- 38 U.S. Embassy- Astana. Reporting. February 3, 2016.
- 39 U.S. Embassy- Astana. Reporting. February 25, 2019.
- 40 Ministry of Education and Science. State Program of Education Development in the Republic of Kazakhstan for 2011 - 2020. December 7, 2010.
www.akorda.kz/upload/SPED.doc.

In 2018, Kenya made a minimal advancement in efforts to eliminate the worst forms of child labor. The government greatly increased the number of labor inspectors, inspections conducted, and child labor violations identified. However, children in Kenya engage in the worst forms of child labor in commercial sexual exploitation. Children also engage in child labor in agriculture. Kenya has yet to ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. In addition, the minimum age for work law does not protect children working outside the scope of a formal employment contract or in circumstances in which children derive no benefit from their labor. The government has also not committed sufficient resources to child labor enforcement.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kenya engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. (1,2) Table 1 provides key indicators on children's work and education in Kenya. 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	35.6 (3,736,030)
Attending School (%)	5 to 14	85.8
Combining Work and School (%)	7 to 14	23.0
Primary Completion Rate (%)		102.0

Source for primary completion rate: Data from 2016, published by the UNESCO Institute for Statistics, 2019. (3)

Source for all other data: International Labor Organization's analysis of statistics from Population and Housing Census, 2009. (4)

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	Farming,† including the production of tea, coffee, <i>miraa</i> ,† rice, sisal, sugarcane, tobacco, corn, flowers, and cotton (1,5-8)
	Herding livestock† (1,5,6,8)
	Fishing,† including for tilapia, sardines, and other fish (8-13)
	Burning wood to produce charcoal (1,5)
Industry	Construction,† including carrying heavy loads (1,5,6,8)
	Quarrying,† including for stones and coral (1,5,8)
	Harvesting sand† (1,5,6,8,14,15)
	Making bricks† (1,6,8)
	Mining† for gold, tsavorite, tanzanite, ruby, sapphire, and salt (1,5,6,8)
Working in slaughterhouses,† including disposal of after-products and cleaning (1,16)	
Services	Domestic work† (1,5,8-11,16)
	Street work, including vending (1,2,6,8,16)
	Transporting goods† and people† by bicycle, motorcycle, and handcart† (1,5,8)
	Scavenging† for scrap materials (1,5,8,12,16)
	Begging† (1,5,8,13,17)

MINIMAL ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1,5,17-22)
	Use in illicit activities, including drug trafficking (1,6,23)
	Begging, street vending, domestic service, herding livestock, fishing, and work on tobacco farms, sometimes as a result of human trafficking (1,5,18,21,22,24,25)

† 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.

Kenyan children are victims of human trafficking within and outside the country, and they are exploited to engage in domestic work, agricultural work, fishing, begging, and street vending. Children are also victims of commercial sexual exploitation in tourism-heavy areas, such as Nairobi and Kisumu, and on the coast in informal settings. (22,26,27) In rural areas, poverty drives some families to engage in trafficking children to urban centers for domestic work. (28) Children are also victims of commercial exploitation in drug production sites (*khat*), near gold mines, and along major highways; and they are sexually exploited by fishermen on Lake Victoria. (22) In addition, children in Kenya scavenge dumpsites and streets for scrap material, including metal and glass. (5) These children earn about \$1 to \$2 per day by sorting through waste, while often risking injury and exposing themselves to infectious diseases, such as tetanus. Evidence suggests that these children are also exposed to mercury due to e-waste recycling and gold mining. (5) Reports also indicate that children ages 10 to 17 mine or harvest sand and work in Busia, Homa Bay, Kilifi, Kitui, Machakos, and Nakuru counties increasing their likelihood of developing aggravated asthma, lung or heart disease, and cancer. (10, 14, 29) Most children who are engaged in child labor, including commercial sexual exploitation, are girls; however, boys are also involved. (5, 30)

Kenyan law mandates free education and prohibits schools from charging tuition fees. However, the cost of unofficial school fees, books, and uniforms prevents some children from attending school. (14,31-35) The Births and Deaths Registration Act mandates birth registration; however, many children living in the country are not registered at birth. As a result, non-registered children have difficulty accessing services such as education because they must provide a birth certificate before enrolling in school or sitting for exams. (36-38) Teacher and school shortages further hinder children’s access to education. (1) Sources indicate that sexual abuse by teachers also negatively affects children’s school attendance. (39-41) In addition, in isolated cases, some school administrators deny pregnant girls admittance to schools. (42-44)

The government, in coordination with UNICEF, has previously published data on child poverty and its potential to increase vulnerability to engage in child labor. (8,45) The last national child labor survey was conducted in 2000. (4) As a result, data may no longer accurately reflect the current child labor situation in Kenya.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Kenya has ratified most 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	✓

In 2000, Kenya signed but has not yet acceded to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. Commercial sexual exploitation of children continues to be a serious problem in Kenya. (40)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Kenya's legal framework to adequately protect children from the worst forms of child labor, including the gap between the compulsory education age and minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Section 56 of the Employment Act; Section 12 of the Employment (General) Rules; Section 10.4 of the Children Act (34,46,47)
Minimum Age for Hazardous Work	Yes	18	Sections 2 and 53.1 of the Employment Act; Sections 2 and 10.1 of the Children Act (34,46)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 12 and the Fourth Schedule of the Employment (General) Rules; Section 10.1 of the Children Act (34,47)
Prohibition of Forced Labor	Yes		Article 30 of the Constitution; Sections 4.1 and 53.1 of the Employment Act; Sections 174 and 254–266 of the Penal Code; Article 3 of the Counter-Trafficking in Persons Act; Article 13 of the Sexual Offences Act; Section 13.1 of the Children Act (34,46,48-51)
Prohibition of Child Trafficking	Yes		Article 3 of the Counter-Trafficking in Persons Act; Article 13 of the Sexual Offences Act; Section 13.1 of the Children Act; Section 53.1 of the Employment Act; Sections 174 and 254–263 of the Penal Code (34,46,49-51)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 8–9, 11–12, and 14–16 of the Sexual Offences Act; Sections 2 and 53.1 of the Employment Act; Section 15 of the Children Act (34,46,51)
Prohibition of Using Children in Illicit Activities	Yes		Sections 2 and 53.1 of the Employment Act; Section 16 of the Children Act (34,46)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 10.2 of the Children Act; Article 243 (1) of the Kenya Defence Forces Act (34,52)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 243 (1) of the Kenya Defence Forces Act (52)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 3 of the Counter-Trafficking in Persons Act (50)
Compulsory Education Age	No	14‡	Sections 28 and 30 of the Basic Education Act (33)
Free Public Education	Yes		Section 7.2 of the Children Act; Sections 28–29 and 32 of the Basic Education Act; Article 53(b) of the Constitution (33,34,48)

* No conscription (52)

‡ Age calculated based on available information (53)

In 2018, Kenya began implementing free secondary education for all Kenyans. (40) In 2017, the Parliament drafted the Children Bill; however, during the reporting period, it had not yet come into effect. (40) The proposed law prohibits child labor, hazardous work for children, the use of children in armed conflict, and the use, procurement, and offering of children for forced labor, slavery, and debt bondage. (54) However, the proposed bill has the same gap as the current law regarding coverage of children working without a formal contract. (54) The current Children Act does not prohibit child labor for children employed outside of the scope of a contractual agreement or in circumstances in which children derive no benefit from their work directly or indirectly. (34,46) In addition, the Employment Act applies only to workers who perform work under a formal employment agreement, which does not conform to international standards that require all children to be protected by the minimum age. (46)

The government has reported that children are required to attend school only until age 14, making children ages 14 and 15 vulnerable to child labor because they are not required to attend school, yet cannot legally work. (53)

Kenya

MINIMAL ADVANCEMENT

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, Social Security and Services (MLSSS); the National Police Service; and the Office of the Director of Public Prosecutions 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, Social Security and Services (MLSSS)	Enforces labor laws, including those related to child labor, through county labor officers in Kenya's 47 counties. (5,55) Directs activities to eliminate child labor through its Child Labor Division. Coordinates services provided to children to ensure that child protection activities are being implemented countrywide, and maintains records on children and the services provided to them. (5)
National Police Service	Enforces laws related to the worst forms of child labor. (5) Includes a unit focused on the prevention of commercial sexual exploitation of children, child trafficking, and the use of children in illicit activities. (40) The Tourism Police Unit addresses commercial sexual exploitation of children in the tourism industry. (8)
Office of the Director of Public Prosecutions	Enforces laws through the prosecution of criminal offenses, including labor-related offenses. (1)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Kenya took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLSSS that may hinder adequate labor law enforcement, including the authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (8)	Unknown (40)
Number of Labor Inspectors	84 (8)	112 (40)
Inspectorate Authorized to Assess Penalties	No (2)	No (2,46)
Initial Training for New Labor Inspectors	N/A (8)	Unknown (40)
Training on New Laws Related to Child Labor	Yes (8)	Unknown (40)
Refresher Courses Provided	Unknown (8)	Yes (40)
Number of Labor Inspections Conducted	9,214 [†] (8)	39,890 [‡] (40,56)
Number Conducted at Worksite	9,214 [†] (8,57)	39,890 [‡] (40,56)
Number of Child Labor Violations Found	1,215 [†] (8,57)	10,708 [‡] (40,56)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (8)	N/A (40)
Number of Child Labor Penalties Imposed that Were Collected	N/A (8)	N/A (40)
Routine Inspections Conducted	Yes (8)	Yes (40)
Routine Inspections Targeted	Yes (8)	Yes (40)
Unannounced Inspections Permitted	Yes (8)	Yes (40)
Unannounced Inspections Conducted	Yes (8)	Yes
Complaint Mechanism Exists	Yes (8)	Yes (40)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (40)

[†] Data are from July 1, 2016 to June 30, 2017.

[‡] Data are from July 1, 2017 to June 30, 2018.

The number of labor inspectors is likely insufficient for the size of Kenya's workforce, which includes more than 19 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Kenya would employ about 1,321 labor inspectors. (58-60) Reports suggest that the MLSSS budget is inadequate and may hamper the labor inspectorate's capacity to enforce child labor laws. (2,5,40,61) Labor inspectors cannot issue fines or penalties, but they can send a compliance letter to employers stipulating how long the employer has to correct the violation. (2) In May 2018, MLSSS reported conducting capacity training for 30 labor inspectors. Between July 1, 2017, and June 30, 2018, MLSSS hired 25 new labor inspectors with plans to have at least 1 labor inspector in each county. (40) The government operates

an emergency, toll-free, nationwide child hotline to report child abuse, including child labor, and refers callers to organizations for social protection services. (5,62) The government did not provide information about its labor inspectorate funding and training for inclusion in this report. (40)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Kenya took actions to combat child labor (Table 7). However, gaps exist within the operations of the National Police Service and the Office of the Director of Public Prosecutions that may hinder adequate criminal law enforcement, including investigation planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (8)	Yes (40)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (8)	Unknown (40)
Refresher Courses Provided	Unknown (8)	Yes (40)
Number of Investigations	Unknown (8)	Unknown (40)
Number of Violations Found	Unknown (8)	Unknown (40)
Number of Prosecutions Initiated	Unknown (8)	Unknown (40)
Number of Convictions	Unknown (8)	Unknown (40)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (40)

Reports indicate that during the 2017 elections, women and girls were subjected to gender-based violence, including sexual exploitation, and that the government has still not properly investigated nor prosecuted suspected perpetrators. (63-65) In past years, the government allocated funds to anti-human trafficking efforts; however, no allocation was made to address child labor. Information on funding is not available for the reporting period. (8,40)

The government did not provide complete information on its criminal enforcement efforts for inclusion in this report. (40)

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 efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Oversees efforts to eliminate child labor. (5) Comprising government agencies, private employers, workers' organizations, and civil society organizations. Chaired by the Permanent Secretary, with coordination duties performed by the MLSSS Child Labor Division. (16) Research could not determine whether the committee met during the year.
National Council for Children's Services	Coordinates government efforts on child-related issues, including child labor. (5) Operates the National Children Database, which collects comprehensive data on children, including child labor. (5) Research could not determine whether the committee met during the year.
National Labor Board	Advises the Cabinet Secretary of Labor, Social Security and Services on all issues related to labor and employment, including legal and policy issues. (16) Research could not determine whether the committee met during the year.
Counter-Trafficking in Persons Advisory Committee	Coordinates the implementation of policies related to human trafficking and provide prevention and protection services to victims under the Counter-Trafficking in Persons Act. (50) Comprising multiple government agencies, private employers, workers' organizations, and civil society organizations. (26) Research could not determine whether the committee met during the year.
Local, Advisory, and District Child Labor Committees	Coordinate activities to eliminate child labor at the local level. (5) Research could not determine whether the committee met during the year.

Kenya

MINIMAL ADVANCEMENT

Although the government has coordination mechanisms, research could not find information about their accomplishments during the year.

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 funding and mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy on the Elimination of Child Labor (2016)	Proposes strategies to prevent, identify, withdraw, rehabilitate, and reintegrate children involved in child labor, including its worst forms. (66) Under this policy, the government has established 12 out of 13 desired child labor-free zones. (28) Research was unable to determine whether activities were undertaken to implement the National Policy on the Elimination of Child Labor during the reporting period.
National Employment Policy (2017)	Mandates reporting on the number of children withdrawn from child labor and the progress of child labor-free zones. (40) Research was unable to determine whether activities were taken to implement the National Employment Policy during the reporting period.
Framework for the National Child Protection System for Kenya (2011)	Describes the laws and policies that protect children from violence and exploitation, and the roles and responsibilities of the government to protect children from exploitative work. (67) Research was unable to determine whether activities were undertaken to implement the Framework for the National Child Protection System for Kenya during the reporting period.
County Integrated Development Plans	Serves as a guide for a county's development planning processes. Required of all counties in Kenya. (68) For example, 2013-2017 plans addressed child labor on coffee and tea estates in Kiambu County and the issue of street children in Turkana County; however, research could not determine if updated plans covering 2018-2022 address child labor. (69,70,71) Research was unable to determine whether activities were undertaken to implement County Integrated Development Plans during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (72)

The National Plan of Action Against Sexual Exploitation of Children in Kenya did not include a corresponding budget. (62) Child labor elimination and prevention strategies do not appear to be integrated into the UN Development Assistance Framework, the Policy for Alternative Provision of Basic Education and Training, the Kenya National Social Protection Policy, or the National Education Sector Support Program. (2,73,74)

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
Projects to Combat Child Labor and Increase Education Access†	Government programs that aim to combat child labor, including its worst forms, such as commercial sexual exploitation of children and child trafficking. Child Protection and Rescue Centers temporarily house child victims and provide counseling and reintegration services for children; Kitui County Child Rescue Center withdraws and rehabilitates child laborers and provides counseling and life skills training. (2) The School Meals Program serves hot lunch to 2 million vulnerable children, resulting in improved school attendance. (1,5,75) The Government of Kenya provided safe custody of children in need of special protection. Services were provided for children who were abandoned, sexually abused, rescued from trafficking, and in need of rehabilitation. (8)
National Safety Net Program for Results‡	Includes \$411 million, government-funded, 5-year cash transfer and social safety net program, with support from the World Bank. Benefitted 353,000 households by assisting families of working children, orphans, and vulnerable children to meet their basic needs and pay for school-related costs. For fiscal years 2017 and 2018, the government allocated \$93 million for orphans and vulnerable children. (8)
USDOL-Funded Projects to Combat Child Labor and Support Youth Apprenticeships	USDOL-funded projects to combat child labor and support youth apprenticeships. Includes \$3 million Better Utilization of Skills for Youth (BUSY) Through Quality Apprenticeships (2016–2020), and \$1.4 million Promoting Apprenticeship as a Path for Youth Employment in Kenya Through Global Apprenticeship Network (GAN) National Networks (2016–2018). Additional information is available on the USDOL website.

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
UN Agency-Implemented Projects	Humanitarian Assistance Program, UNICEF-implemented program provided educational services to 156,000 children and nutritional services to 189,000 children in 2018. (76) The Ministry of Public Service, Youth, and Gender Affairs collaborates with the UN Population Fund to establish gender-based violence recovery centers for victims, including children. (8)
Child Labor Free Supply Chain Certifications	Government program supported by the EU and Cesvi, an NGO. Develops child labor-free supply chain certifications. (5,8,77)

† Program is funded by the Government of Kenya.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (1,78-80)

Although Kenya has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially the commercial sexual exploitation of children.

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 Kenya (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2018
	Ensure that minimum age laws apply to children working in non-contractual employment.	2011 – 2018
	Raise the compulsory education age to 16 to be equivalent to the minimum age for work.	2013 – 2018
Enforcement	Authorize labor inspectors to assess penalties for labor law violations.	2010 – 2018
	Publish information about labor inspectorate funding, training provided to labor inspectors on the worst forms of child labor, and the number of child labor violations imposed and penalties collected.	2009 – 2018
	Ensure the Ministry of Labor, Social Security and Services has sufficient financial and human resources to address labor violations.	2017 – 2018
	Publish information about criminal law enforcement's efforts to investigate, prosecute, and convict perpetrators of the worst forms of child labor, and training held related to the worst forms of child labor.	2009 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2018
Coordination	Publish information about child labor coordination activities, including meetings during the year, and efforts to address child labor issues.	2016 – 2018
Government Policies	Ensure that child labor policies are implemented, and publish information about activities under these policies, such as the National Plan of Action Against Sexual Exploitation of Children in Kenya.	2017 – 2018
	Ensure that County Integrated Development Plans address child labor.	2018
	Integrate child labor elimination and prevention strategies into the UNDAF, National Education Sector Support Program, Kenya National Social Protection Policy, and Policy for Alternative Provision of Basic Education and Training.	2013 – 2018
	Include a budget in the National Plan of Action Against Sexual Exploitation of Children in Kenya.	2013 – 2018
Social Programs	Update data on child labor by conducting a national child labor survey.	2014 – 2018
	Ensure that children can attend primary school, either by ensuring that school is free of fees or by subsidizing or defraying the cost of school fees, books, and uniforms.	2010 – 2018
	Improve access to education by training new teachers, ensure that pregnant girls can remain in school, address sexual abuse by teachers in schools, and increase birth registrations for children.	2010 – 2018
	Expand existing programs to address the scope of the child labor problem, including children engaged in commercial sexual exploitation.	2009 – 2018

MINIMAL ADVANCEMENT

REFERENCES

- 1 U.S. Embassy- Nairobi Reporting March 16, 2016
- 2 U.S. Embassy- Nairobi. Reporting. February 13, 2017.
- 3 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019 Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 4 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Population and Housing Census, 2009. Analysis received January 12, 2018. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 5 U.S. Embassy- Nairobi. Reporting. February 11, 2014.
- 6 ILO. Integrated area-based approach as a strategy for laying foundations for child labour-free zones - A case of Busia, Kilifi and Kitui Districts in Kenya. November 15, 2013. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=23676>.
- 7 Ndunda, Joseph. 1.5 Million Kids Do Not School - CS. The Star, October 3, 2015. <http://allafrica.com/stories/201510060940.html>.
- 8 U.S. Embassy- Nairobi. Reporting. February 13, 2018.
- 9 ILO. Situation analysis on conducive learning environment for children withdrawn and prevented from child labour - A case of Busia District in Kenya. November 15, 2013. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=23677>.
- 10 ILO-IPEC. Kenya labour market survey for older children withdrawn from worst forms of child labour: Kitui district report. February 2012. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=19556>.
- 11 Schallhorn, Kaitlyn. In Kenya, educators are becoming the front line of defense against child trafficking. The Blaze, April 18, 2017. <http://www.theblaze.com/news/2017/04/18/in-kenya-educators-are-becoming-the-front-line-of-defense-against-child-trafficking>.
- 12 ILO. Situation analysis on conducive learning environment for children withdrawn and prevented from child labour - A case of Kitui District in Kenya. November 15, 2013. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=23679>.
- 13 Kigai, Eudias. Trafficking handicapped children and the economy of misery. Pambazuka News, July 29, 2013. <https://www.pambazuka.org/human-security/trafficking-handicapped-children-and-economy-misery>.
- 14 Mutiso Veronich Nthambi, and Professor John Aluko Orodho. Impact of Sand Harvesting on Education of Pupils in Public Primary Schools in Kathiani Division, Kathiani District, Machakos County, Kenya. 2014. Source on file.
- 15 Kibet, Robert. The Deadly Occupation Attracting Kenya's Youth. Inter Press Service News Agency, 2015. <http://www.ipsnews.net/2014/08/the-deadly-occupation-attracting-kenyas-youth/>.
- 16 U.S. Embassy- Nairobi. Reporting. February 24, 2015.
- 17 Mkongo, Malemba. Students fight sex slavery and forced labour among children in Mombasa. The Star, November 3, 2017. https://www.the-star.co.ke/news/2017/11/03/students-fight-sex-slavery-and-forced-labour-among-children-in-mombasa_c1658639.
- 18 U.S. Embassy- Nairobi. Reporting. March 4, 2014.
- 19 Onyulo, Tony. Baby trafficking is a lucrative business in Kenya. USA Today, February 28, 2015. <http://www.usatoday.com/story/news/world/2015/02/28/kenya-stolen-baby-trafficking/23927517/>.
- 20 Damary, Rita and Joseph Kiir. Muslim Cleric Jailed 10 Years for Child Sex Trafficking. The Star, July 7, 2015. <http://allafrica.com/stories/201507071381.html>.
- 21 U.S. Embassy- Nairobi. Reporting. February 26, 2016.
- 22 U.S. Department of State. Trafficking in Persons Report- 2017: Kenya. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/kenya/>.
- 23 Mwangi, James Nairobi drug dealers employ street kids to sell guns, heroin Nairobi: The Nairobiian November, 2018. <https://www.sde.co.ke/thenairobiian/article/2001303713/nairobi-drug-dealers-employ-street-kids-to-sell-guns-heroin>.
- 24 UN Convention on the Rights of Persons with Disabilities. Concluding observations on the initial report of Kenya. September 4, 2015: Report number CRPD/C/KEN/CO/1. <http://www.refworld.org/pdfid/55eed6bc3.pdf>.
- 25 Solomon, Salem. Food Insecurity, Poverty Force Kenyan Girls Into 'Survival Sex.' Voice of America News, August 21, 2017. <https://www.voanews.com/a/food-insecurity-poverty-force-kenyan-girls-in-survival-sex/3994855.html>.
- 26 U.S. Embassy- Nairobi. Reporting. December 28, 2015.
- 27 Sanga, Benard and Ongala, Maureen Sex tourism, Western philanthropy and widespread child sexual abuse in Coast Nairobi; The Standard 05, 27, 2018. <https://www.standardmedia.co.ke/article/2001281874/sex-tourism-western-philanthropy-and-widespread-child-sexual-abuse-in-coast>.
- 28 U.S. Embassy- Nairobi. Reporting. May 23, 2018.
- 29 Peters, T, PhD, CIH. Sand Mining and Transport: Potential Health Effects. Midwest Environmental Health Policy Summit: Iowa City. University of Iowa, February 2014. Source on file.
- 30 UN Committee on the Elimination of Discrimination against Women. List of issues and questions in relation to the eighth periodic report of Kenya. March 13, 2017: Report number CEDAW/C/KEN/Q/8. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/KEN/Q/8&Lang=en.
- 31 ILO. Situation analysis on conducive learning environment for children withdrawn and prevented from child labour - A case of Kilifi District in Kenya. November 15, 2013. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=23678>.
- 32 Onyango, Phillista and Arne Tostensen. The Situation of Youth and Children in Kibera. Chr. Michelsen Institute (CMI), March 2015. <http://www.cmi.no/publications/file/5527-the-situation-of-youth-and-children-in-kibera.pdf>.
- 33 Government of Kenya. The Basic Education Act, 14. Enacted: January 14, 2013. <http://www.kenyalaw.org/lex/actview.xql?actid=No.14of2013>.
- 34 Government of Kenya. The Children Act, 141. Enacted: 2010. [https://bettercarenetwork.org/sites/default/files/The Children's Act, Kenya_0.pdf](https://bettercarenetwork.org/sites/default/files/The%20Children's%20Act,%20Kenya_0.pdf).
- 35 Morris, Tanasia. Building A High School for Girls in Kenya. Fordham News. June 8, 2017. <https://news.fordham.edu/faith-and-service/building-a-high-school-for-girls-in-kenya/>.
- 36 Government of Kenya. The Births and Deaths Registration Act. Enacted: 2010. Source on file.
- 37 Odinga, Rosmary. Kenyans without IDs, birth certificates must not suffer any longer. 2016. Source on file.
- 38 Apland, K, et al. Birth Registration and Children's Rights: A Complex Story. 2016. http://www.planbelgie.be/sites/default/files/birth_registration_and_childrens_rights_full_report_1.pdf.
- 39 UN Committee on the Elimination of Discrimination against Women. Summary record of the 1547th meeting. November 14, 2017: Report number CEDAW/C/SR.1547. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/SR.1547&Lang=en.
- 40 U.S. Embassy - Nairobi Reporting January 24, 2019.
- 41 UNICEF. Hidden in Plain Sight. September 2014. http://files.unicef.org/publications/files/Hidden_in_plain_sight_statistical_analysis_EN_3_Sept_2014.pdf.

- 42 Youth for Change. Teen Pregnancy is keeping girls out of school in Kenya. March 14, 2016. <http://www.youthforchange.org/latest-posts/2016/3/14/59uv9jm523wchx9yqrqfz6j73uiqw>.
- 43 Chakamba, Rumbi. Proposed Bill Says Kenyan Schools Must Stop Expelling Pregnant Girls. News Deeply, February 21, 2017. <https://www.newsdeeply.com/womenandgirls/articles/2017/02/21/proposed-bill-says-kenyan-schools-must-stop-expelling-pregnant-girls>.
- 44 U.S. Embassy- Nairobi. Reporting. May 15, 2018.
- 45 Kenya National Bureau of Statistics. Child Poverty in Kenya, a multidimensional approach. 2017. <https://www.unicef.org/esaro/2017-UNICEF-Kenya-Child-Poverty.pdf>.
- 46 Government of Kenya. The Employment Act, 11. Enacted: October 22, 2007. Source on file.
- 47 Government of Kenya. The Employment (General) Rules, 2014. Enacted: March 2014. Source on file.
- 48 Government of Kenya. The Constitution of Kenya. Enacted: 2010. Source on file.
- 49 Government of Kenya. Penal Code, 63. Enacted: 2009. Source on file.
- 50 Government of Kenya. Counter-Trafficking in Persons Act. Enacted: 2010. Source on file.
- 51 Government of Kenya. The Sexual Offences Act, 3. Enacted: July 21, 2006. Source on file.
- 52 Government of Kenya. Kenya Defence Forces Act. Enacted: 2012. Source on file.
- 53 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Kenya (ratification: 1979) Published: 2014. Source on file. Accessed April 14, 2014.
- 54 Government of Kenya. Children Bill, 2017. <http://www.childrenscouncil.go.ke/images/documents/Acts/The-Children-Bill-First-Draft---16th-June-2017.pdf>.
- 55 Government of Kenya, Ministry of Labor, Social Security and Services. Background. Source on file.
- 56 MLSSS FY2017/2018 Program Based Budget. Government of Kenya. <http://www.treasury.go.ke/component/downloads/send/120-program-based-budgets/489-program-based-budget-2017-2018.html>.
- 57 Government of Kenya. Social Protection, Culture, and Recreation Sector Report 2018/19–2020/21. November 2017. <http://www.treasury.go.ke/component/downloads/send/194-2018/712-social-protection-culture-and-recreation.html>.
- 58 CIA. The World Factbook. Accessed July 2, 2018. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 59 ILO. Strategies and Practice for Labour Inspection. November 2006. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 60 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 61 ILO Committee of Experts. Individual Direct Request concerning Labour Inspection (Agriculture) Convention, 2014 (No. 129) Kenya (ratification: 1979) Published: 2015. Accessed: November 5, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3188174:NO.
- 62 Government of Kenya. The National Plan of Action Against Sexual Exploitation of Children in Kenya 2013-2017. 2013. Source on file.
- 63 Human Rights Watch. Kenya: Sexual Violence Marred Elections. December 14, 2017. <https://www.hrw.org/news/2017/12/14/kenya-sexual-violence-marred-elections>.
- 64 Odhiambo, Agnes. Chance for Kenya to Make Amends for Post-Election Sexual Violence. Human Rights Watch, January 19, 2018. <https://www.hrw.org/news/2018/01/19/chance-kenya-make-amends-post-election-sexual-violence>.
- 65 Ghana Broadcasting Corporation. Kenya Minister warns community leaders must prosecute rapists. February 27, 2018. <http://www.gbcghana.com/1.11822753>.
- 66 Republic of Kenya, Ministry of Labour, Social Security and Services. Sessional Paper No. 1 of 2015 on the National Policy on Elimination of Child Labour. 2013. Source on file.
- 67 Government of Kenya. The Framework for the National Child Protection System for Kenya. Nairobi: The National Council for Children’s Services, November 2011. <http://resourcecentre.savethechildren.se/sites/default/files/documents/5429.pdf>.
- 68 Government of Kenya, Ministry of Devolution and Planning. Guidelines for Preparation of County Integrated Development Plans. May 2013. Source on file.
- 69 County Government of Kiambu. County Integrated Development Plan 2013–2017. <http://www.kiambu.go.ke/images/docs/other/2013201720150303-KIAMBUCIDP.pdf>.
- 70 UN Trust Fund for Human Security. Strengthening Human Security in the Border Communities of Turkana, Report No. 2. April 2014. http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecd/documents/newsitem/wcms_243111.pdf.
- 71 County Government of Kiambu. County Integrated Development Plan 2018–2022. http://www.kiambu.go.ke/departments/images/YASC/CIDP_2018_2022.pdf.
- 72 Government of Kenya. Kenya Vision 2030: Second Medium Term Plan (2013–2017). 2013. <http://vision2030.go.ke/2013-2017/>.
- 73 Government of Kenya, Ministry of Education. Policy for Alternative Provision of Basic Education and Training. May 2009. Source on file.
- 74 Government of Kenya. Kenya National Social Protection Policy. June 2011. http://www.africanchildforum.org/clr/policy_per_country/kenya/kenya_socialprot_2011_en.pdf.
- 75 The World Bank. Kenya Cash Transfer for Orphans and Vulnerable Children: PI I 1545- Implementation Status Results Report: Sequence 11. Washington, DC. World Bank Report No. ISR15023. Updated in 2017. <http://documents.worldbank.org/curated/en/837461527165008179/Kenya-AFRICA-PI-I-1545-Kenya-Cash-Transfer-for-Orphans-and-Vulnerable-Children-Procurement-Plan>.
- 76 UNICEF. Kenya- 2019 Appeal. Accessed August 2, 2019. <https://www.unicef.org/appeals/files/2019-HAC-Kenya.pdf>
- 77 Kenya Flower Council. Child Labour Free Certification Award Ceremony. February 7, 2014. <http://www.kenyaflowercouncil.org/blog/?p=5267>.
- 78 ILO-IPEC Geneva official. Email communication to USDOL official. February 22, 2016.
- 79 Equity Bank. 2,000 KCPE students awarded Wings To Fly Secondary School Scholarships. January 22, 2014. <https://www.equitybankgroup.com/blog/2014/01/2000-kcpe-students-awarded-wings-to-fly-secondary-school-scholarships>.
- 80 World Health Organization. INSPIRE: Seven Strategies for Ending Violence Against Children. 2016. http://www.unodc.org/documents/justice-and-prison-reform/who---inspire_-_seven-strategies-for-ending-violence-against-children.pdf.

In 2018, Kiribati made a minimal advancement in efforts to eliminate the worst forms of child labor. The government implemented the United Nations Pacific Strategy, which applies a strategic framework to develop and employ economic development strategies, including eliminating the worst forms of child labor. However, although research is limited, there is evidence that children in Kiribati perform dangerous tasks in construction and street vending. Existing laws do not identify hazardous occupations and activities prohibited for children, and the government has not adopted a national policy to combat the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Kiribati perform dangerous tasks in construction and street vending. (1) Table 1 provides key indicators on children's work and education in Kiribati. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		99.5

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (2) Data were unavailable from International Labor Organization's analysis, 2019. (3)

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	Cutting toddy palm trees for toddy (1)
	Fishing and harvesting clams (1)
Industry	Construction, cargo loading, and seafaring (1,3,4)
Services	Street work, including vending and working in kava bars (1,3)
	Domestic work (3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation aboard fishing vessels (4)

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

During the reporting period, evidence indicated that a small number of underage girls were allegedly engaged in commercial sexual exploitation with crewmembers from foreign fishing vessels. In exchange, the girls received cash, alcohol, food, and goods. (4) Additionally, the government did not collect or publish data on child labor in 2018.

Children face barriers to accessing education due to associated costs and the lack of schools in remote areas. (1,3,5) Most children with disabilities do not have access to an education. (6)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Kiribati

MINIMAL ADVANCEMENT

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 Kiribati's legal framework to adequately protect children from the worst forms of child labor, including identification of hazardous occupations or activities prohibited for children and the prohibition of child trafficking.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Section 115 of the Employment and Industrial Relations Code (7)
Minimum Age for Hazardous Work	Yes	18	Section 117 of the Employment and Industrial Relations Code (7)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Sections 244 and 249 of the Penal Code; Sections 118(1)(a, c, d) and 122 of the Employment and Industrial Relations Code (7,8)
Prohibition of Child Trafficking	No		Section 43 of the Measures to Combat Terrorism and Transnational Organized Crime Act; Section 118(1)(b) of the Employment and Industrial Relations Code (7,9)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 136 and 141–142 of the Penal Code; Sections 118(1)(f) and 118(1)(g) of the Employment and Industrial Relations Code (7,8)
Prohibition of Using Children in Illicit Activities	Yes		Section 142 of the Penal Code; Sections 118(1)(h) and 118(1)(i) of the Employment and Industrial Relations Code (7,8)
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 118(1)(e) of the Employment and Industrial Relations Code (7)
Compulsory Education Age	Yes	15	Section 7 of the Education Act (10)
Free Public Education	Yes		Section 11 of the Education Act (10)

† No standing military

Kiribati's penal code does not criminalize the use, procurement, or offering of children for pornography or pornographic performances. Kiribati's penal code also does not criminalize the use of children for prostitution and does not criminalize the procurement or offering of boys ages 15-18 for prostitution. (6,8) Additionally, 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.

The government has not identified, by national law or regulations, the types of hazardous work prohibited for children. Under article 116 of the Employment and Industrial Relations Code, the laws do not specify the activities and hours of work per week that are acceptable for children engaged in light work, or the conditions

under which light work can be undertaken. (7) Kiribati's laws prohibiting child trafficking are insufficient because they do not specifically prohibit the domestic trafficking of children. (7,9)

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 Employment and Human Resources (MEHR) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment and Human Resources (MEHR)	Enforces labor laws, including those related to child labor. (11)
Kiribati Police Force	Enforces criminal laws related to the worst forms of child labor. Investigates cases of human trafficking and sexual exploitation of children through a special Domestic Violence and Sexual Offenses Unit. (12)
Child Protection Officer, Ministry of Women, Youth and Social Affairs (MWYSA)	Removes children from harmful situations, including as a result of sexual exploitation and harsh or exploitative labor. (11,13) Assists with the implementation of the Children, Young People and Family Welfare Act. Coordinates the Safenet referral system. (4)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Kiribati took actions to combat child labor (Table 6). However, gaps exist within the operations of the MEHR that may hinder adequate labor law enforcement, including labor inspector training.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$5,360 (14)	Unknown (4)
Number of Labor Inspectors	8 (14)	3 (15)
Inspectorate Authorized to Assess Penalties	Yes (14)	Yes (4)
Initial Training for New Labor Inspectors	No (14)	Yes (15)
Training on New Laws Related to Child Labor	N/A (14)	N/A
Refresher Courses Provided	No (14)	No (15)
Number of Labor Inspections Conducted	144 (14)	133 (15)
Number Conducted at Worksite	144 (14)	133 (15)
Number of Child Labor Violations Found	0 (14)	0 (15)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (14)	0 (15)
Number of Child Labor Penalties Imposed that Were Collected	0 (14)	0 (15)
Routine Inspections Conducted	Yes (14)	Yes (15)
Routine Inspections Targeted	No (14)	No (15)
Unannounced Inspections Permitted	Yes (14)	Yes (4)
Unannounced Inspections Conducted	Yes (14)	Yes (15)
Complaint Mechanism Exists	Yes (14)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (4)

During the reporting period, the government had resource and capacity constraints that restricted all services and activities. Additionally, the government's limited ability to inspect and report on child labor issues was further affected by geographical distances, isolation, sparse population, and Internet connectivity challenges. (4)

The government has a standard operating procedure that outlines how to conduct labor inspections, and includes a checklist template that requires information on the ages of all workers. (4)

Kiribati

MINIMAL ADVANCEMENT

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Kiribati took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (14)	Yes (15)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (14)	N/A
Refresher Courses Provided	Unknown (14)	Unknown (4)
Number of Investigations	Unknown (14)	Unknown (4)
Number of Violations Found	Unknown (14)	Unknown (4)
Number of Prosecutions Initiated	Unknown (14)	Unknown (4)
Number of Convictions	Unknown (14)	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (15)	Unknown (15)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (14)	No (15)

Additionally, the government did not provide information for most of its criminal law enforcement efforts.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
Kiribati National Human Rights Taskforce	Coordinates national UN reports. (4) MEHR and MWYSA are members. This taskforce was active during the reporting period. (15)

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 coverage of all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Children, Young People, and Families Welfare System Policy, 2013	Focuses on strengthening the welfare system, in part, by implementing services to prevent the abuse, violence, neglect, and exploitation of children and young people, including in hazardous labor. (13) During the reporting period, launched the first Kiribati Women's and Children's Crisis Center, and developed the Safenet Interagency Protocol to strengthen its response to abuse, violence, and neglect of children and women. (16)
United Nations Pacific Strategy (2018–2022)†	A multinational strategic framework, comprising 14 South Pacific nations, created to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (17) In 2018, provided technical assistance to ensure availability of quality coordinated services for women and children in response to abuse, violence, neglect, and exploitation. Supported Kiribati National Post-Secondary Readiness Taskforce to address school retention at secondary school level, and revised Technical and Vocational Education and Training (TVET) programs to ensure streamlining from secondary to tertiary levels. (16)

† 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. (18,19)

During the reporting period, the Government of Kiribati continued to support all existing anti-child labor policies; however, research found no evidence of a policy that focuses specifically on combating the worst forms of child labor. (4)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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

Table 10. Key Social Programs to Address Child Labor

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)*	Multi-country program in 14 Pacific Island countries. (20) Prioritize children's rights including the elimination of the worst forms of child labor. Aligned with the UN Pacific Strategy 2018-2022. (20)
Safenet†	Ministry of Women, Youth and Social Affairs-coordinated program that allows government, churches, and NGOs to provide assistance to victims found in exploitative and violent situations. (11, 14) During the reporting period, the government developed the Safenet Inter-agency Protocol to strengthen its response to abuse, violence, and neglect against children and women. (16)
Hotlines‡	Ministry of Women, Youth and Social Affairs and police-supported 24-hour hotline for children to report violations, request information, or obtain access to services. (12, 14) In addition, the Domestic Violence and Sexual Offenses Unit operates two 24-hour phone-line services for reporting exploitation and abuse. (21) This program was active during the reporting period. (15)

* Program was launched during the reporting period.

† Program is funded by the Government of Kiribati.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (4)

During the reporting period, through the 2016–2019 Educational Sector Strategic Plan and the Kiribati Education Improvement Program, the government is working to improve school infrastructure and standards. (4, 22, 23) Due to their efforts, from 2016–2017, two of the largest primary schools in South Tarawa and one on Kiritimati Island were rehabilitated. This included the refurbishing of classrooms, improved access to sanitation facilities and potable water, and improved access for children with disabilities. (4) Additionally, in 2018, the Government of Kiribati provided transportation to school for students in the outer islands, and in collaboration with the Australian government and UNICEF, the government has improved learning spaces, access, and sanitation at schools. (4)

Although the government has implemented Safenet and Hotlines programs to assist children in exploitative and abusive situations, research found no evidence that the government has carried out programs specifically designed to assist children who are working in construction and street vending.

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 Kiribati (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2011 – 2018
	Ensure that the law specifies the activities and number of hours of work per week that are acceptable for children engaged in light work, and the conditions under which children can engage in light work.	2015 – 2018
	Ensure that the law specifically prohibits the domestic trafficking of children.	2015 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
	Ensure that the Penal Code criminalizes the use, procuring, and offering of all children for prostitution, pornography, and pornographic performances.	2018
Enforcement	Institutionalize training for labor inspectors, including providing refresher courses.	2017 – 2018
	Collect and publish data on the enforcement of criminal laws prohibiting the worst forms of child labor, including information on refresher courses provided to investigators, the number of investigations performed, the number of violations found, the number of prosecutions initiated, the number of convictions, and the number of penalties imposed for violations.	2012 – 2018

MINIMAL ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2017 – 2018
	Ensure sufficient resources to support enforcement activities to eliminate the WFCL.	2018
	Institute a reciprocal referral mechanism between criminal authorities and social services.	2018
	Increase the number labor inspectors.	2018
Government Policies	Adopt a policy that addresses the worst forms of child labor.	2014 – 2018
Social Programs	Enhance efforts to eliminate barriers to education, and make education accessible for all children by alleviating school fees and increasing access to schools in remote locations.	2014 – 2018
	Ensure that children with disabilities are given access to education.	2018
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2018
	Implement social programs to address all relevant forms of child labor, including in construction and street vending.	2017 – 2018
	Implement programs to address the issue of commercial sexual exploitation of young girls with crew members from foreign fishing vessels.	2018

REFERENCES

- ILO. Rapid Assessment on Child Labor in Tarawa. 2015. Source on file.
- UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received January 12, 2018. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- ILO. Sub-Regional Child Labour and Trafficking Forum 2015. April 30, 2015. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/publication/wcms_405960.pdf.
- U.S. Embassy- Suva. Reporting. January 16, 2019.
- ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Kiribati (ratification: 2009) Published: 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:3133618.
- U.S. Department of State. Country Reports on Human Rights Practices- 2017: Kiribati 2018. <https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/kiribati/>.
- Government of Kiribati. Employment and Industrial Relations Code. Enacted: December 24, 2015. Source on file.
- Government of Kiribati. Penal Code. Enacted: October 18, 1965. http://www.paclii.org/ki/legis/consol_act/pc66/.
- Government of Kiribati. Measures to Combat Terrorism and Transnational Organized Crime Act 2005. Enacted: June 14, 2005. http://www.paclii.org/ki/legis/num_act/mtctatoca2005608/.
- Government of Kiribati. Education Act 2013, No. 12 of 2013. Enacted: December 30, 2013. http://beta.paclii.org/ki/legis/num_act/ea2013104/.
- U.S. Embassy- Suva. Reporting. January 4, 2016.
- U.S. Embassy- Suva. Reporting. January 17, 2014.
- Government of Kiribati. Children, Young People, and Families Welfare System Policy. April 2012. Source on file.
- U.S. Embassy- Suva. Reporting. January 9, 2018.
- U.S. Embassy- Suva official. Email communication to USDOL official. June 11, 2019.
- U.S. Embassy- Suva official. Email correspondence with USDOL official. June 2, 2019.
- United Nations. United Nations Pacific Strategy 2018–2022: A Multi-Country Sustainable Development Framework in the Pacific Region. United Nations in the Pacific, 2017. https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf.
- UNDAF. United Nations Development Assistance Framework (UNDAF) For the Pacific region 2013–2017. http://www.undp.org/content/dam/samoa/docs/UNDP_WS_UNDAF_Summary_Report_2013-17.pdf.
- UNICEF. The Beijing Declaration on South-South Cooperation for Child Rights in the Asia Pacific Region. November 2010. http://www.unicef.org/eapro/Beijing_Declaration.docx.
- UN. Strategy Note for the 2018–2022 Pacific Multi-Country Programme of Cooperation. New York, October 10, 2017. Source on file.
- U.S. Department of State. Trafficking in Person’s Report- 2014: Kiribati. Washington, DC. June 20, 2014. <https://2009-2017.state.gov/j/tip/rls/tiprpt/countries/2014/226752.htm>.
- Government of Kiribati. Kiribati Education Improvement Program (KEIP)- Phase III. January 20, 2016. Source on File.
- Government of Kiribati. Education Sector Strategic Plan, 2016–2019 October 2016. Source on File.

In 2018, Kosovo made a moderate advancement to eliminate the worst forms of child labor. The government passed a new Criminal Code that prohibited the recruitment of children into non-state armed groups and increased penalties for producing, using, or involving children in the production, possession, or procurement of child pornography. Teachers in Prizren Municipality were also trained on identifying children at risk of being trafficked, and the Kosovo Police received child trafficking training, including on the use of children in commercial sexual exploitation and illicit activities. In addition, the government enacted a Children's Rights Action Plan for 2019 to 2021 that aims to improve the social, economic, and legislative rights of children. However, children in Kosovo engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. The labor inspectorate and Centers for Social Welfare continue to face financial and human resource constraints that may impede their ability to adequately address child labor problems. In addition, human trafficking shelters lack sufficient funding to properly accommodate and treat child trafficking victims.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kosovo engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. (1-4) No recent data were available, but a Multiple Indicator Cluster Survey (MICS) conducted from 2013 to 2014 determined that 5,398 children in Kosovo were engaged in child labor. (5) A parallel MICS targeting the Roma, Ashkali, and Balkan Egyptian communities in Kosovo found that 2,168 children from these communities were engaged in child labor. (6) Table 1 provides key indicators on children's work and education in Kosovo. 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	11.7 (Unavailable)
Attending School (%)	5 to 14	95.4
Combining Work and School (%)	7 to 14	13.1
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2013-2014. (8)

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	Farming, activities unknown (2,9,10)
	Forestry, activities unknown (11,12)
Industry	Construction and manufacturing (2,10,12)
Services	Street work, [†] including vending small items, [†] transporting goods, [†] and begging [†] (1,2,9)
	Scavenging at dumpsites [†] (2,9,13)

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Forced begging, sometimes as a result of human trafficking (1,3,4)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2-4,11,12)
	Use in illicit activities (14)

[†] 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.

Kosovo is a source and destination country for child trafficking, especially of girls. (3,4,15) Children are sometimes coerced into forced labor, such as in massage parlors by organized criminal groups. (3,4,16-18) Kosovo children and children from neighboring countries, especially Albania, are also subjected to forced begging, primarily in Prizren and Pristina, with most coming from the Roma, Ashkali, and Balkan Egyptian minority ethnic groups. (1,2,3,12,16,19-23) Economically vulnerable Kosovo children are also forced to work in construction and agriculture to support their families. (12)

Ashkali, Balkan Egyptian, and Roma children, especially girls, sometimes experience difficulty accessing education, because birth certification is required for attending school in Kosovo. (2,11,24-28) Some Ashkali, Balkan Egyptian, and Roma children have challenges obtaining a birth certificate, which makes school enrollment difficult. (2,29,30,28) Children who do not attend school are vulnerable to the worst forms of child labor. (31)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Kosovo holds a unique status vis-à-vis UN recognition that complicates its ratification of international agreements (Table 3).

Table 3. Ratification of International Conventions on Child Labor

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

Article 22 of Kosovo’s Constitution incorporates the UN CRC into its national legal framework. (32) Despite Kosovo’s unique status, the country works with the UN through the Common Development Plan (2016–2020), which is implemented by the UN Kosovo Team, focusing on promoting international standards and human rights. (67)

The government’s laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 7 of the Labor Law (33)
Minimum Age for Hazardous Work	Yes	18	Articles 20, 23, 26–27, and 45 of the Labor Law (33)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Administrative Instruction No. 05/2013; Article 45 of the Labor Law; Administrative Instruction No. 2008 (33-35)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 6 of the Labor Law; Articles 163 and 165 of the Criminal Code; Law on the Prevention and Elimination of Human Trafficking and Protection of the Victims of Trafficking (33,36,37)
Prohibition of Child Trafficking	Yes		Articles 165 and 166 of the Criminal Code; Law on the Prevention and Elimination of Human Trafficking and Protection of the Victims of Trafficking; Articles 21–22 of Administrative Instruction No. 10/2017 (36-38)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 232 and 234 of the Criminal Code (37)
Prohibition of Using Children in Illicit Activities	Yes		Articles 267–273 of the Criminal Code; Article 36 of the Law on Child Protection (37,39)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 6 of the Law on the Kosovo Security Force (40)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 149 of the Criminal Code; Articles 39–39 Law on Child Protection (37,39)
Compulsory Education Age	Yes	15‡	Article 9 of the Law on Pre-University Education (41)
Free Public Education	Yes		Article 9 of the Law on Pre-University Education (41)

* No conscription (42)

‡ Age calculated based on available information (41)

The government approved the draft Law on Child Protection at its first reading in October 2018 and passed it in June 2019. (2,20,39,43-45) The law criminalizes violence, abuse, exploitation, and neglect of children, including using a child as a beggar, and prohibits the use of children in additional illicit activities. (17,39)

The government enacted a new Criminal Code that increased penalties for producing, using, or involving children in the production, possession, or procurement of child pornography. (2,3,37,46) In addition, it prohibits the recruitment of children by non-state armed groups. (37)

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 Social Welfare (MLSW) and elsewhere in the government 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 Social Welfare (MLSW) Labor Inspectorate	Conducts inspections to enforce child labor laws and refers all cases of children involved in hazardous work to MLSW Regional Centers for Social Work (CSWs). Through regional CSWs, provides social services to impacted children who are found begging or are victims of human trafficking, and compiles cases into a nationwide database. (14) The Department of Social Welfare removes children engaged in hazardous child labor. (47)
Kosovo Police (KP)	Enforces criminal laws on forced child labor and commercial sexual exploitation of children. Through the Anti-Trafficking Unit, enforces laws on child trafficking. (14,48) Operates under the Ministry of Internal Affairs (MOIA). (43)
Ministry of Justice	Enforces criminal laws on forced child labor, child trafficking, and commercial sexual exploitation of children through special anti-human trafficking coordinators and mechanisms. (48,49) In 2018, appointed a special coordinator for human trafficking in western Kosovo. (3)
Ministry of Education, Science, and Technology	Conducts education inspections on balance of students' school and work hours. (50)

MODERATE ADVANCEMENT

In 2018, the labor inspectorate (LI) and Kosovo Police (KP) Anti-Trafficking Unit continued to forward cases to Centers for Social Work (CSWs) or NGO-run human trafficking shelters, as needed. (2) However, there was limited inter-ministerial communication between the Ministry of Internal Affairs (MOIA) and MLSW. (15,51) The MOIA, MLSW, and NGOs expressed the limited capacity of CSWs to address cases of child labor due to limited human resource capacity, knowledge of child labor issues, and coordination with the MLSW. (2,10,12,21,23)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Kosovo took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLSW that may hinder adequate labor law enforcement, including training on child labor for labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$722,855 (11)	\$710,841 (2)
Number of Labor Inspectors	49 (11)	40 (2)
Inspectorate Authorized to Assess Penalties	Yes (11)	Yes (2)
Initial Training for New Labor Inspectors	Yes (11)	Yes (2)
Training on New Laws Related to Child Labor	No (11)	No (2)
Refresher Courses Provided	Yes (11)	No (2)
Number of Labor Inspections Conducted	6,656 (11)	8,512 (2)
Number Conducted at Worksite	6,656 (11)	8,512 (2)
Number of Child Labor Violations Found	1 (11)	1 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (11)	1 (2)
Number of Child Labor Penalties Imposed that Were Collected	0 (11,52)	Unknown (2)
Routine Inspections Conducted	Yes (11)	Yes (2)
Routine Inspections Targeted	Yes (11)	Yes (2)
Unannounced Inspections Permitted	Yes (11)	Yes (2)
Unannounced Inspections Conducted	Yes (11)	Yes (2)
Complaint Mechanism Exists	Yes (11)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (2)

In 2018, inspections were conducted in the public and private sectors, with a special focus on the construction sector, an industry in which child labor is known to occur. (2,11) Labor inspectors have the authority to conduct inspections in all formal sectors, but they do not have the jurisdiction allowing them to investigate informal sectors. (2,11) The LI did not employ Serbian-speaking staff and did not conduct inspections in areas with ethnic Serb majorities. (2,10,15) Labor inspectors have the authority to inspect private farms; however, due to a lack of human resource capacity to adequately cover all sectors and regions, the CSWs, which also face human resource and budgetary constraints, typically conduct these inspections. (2,10,11,31,46,51,53)

The LI had an overall strategy for conducting child labor inspections and incorporated identification of child victims of human trafficking in its strategy for 2017–2021. (2,11,49,54,55) Labor inspectors receive initial training when hired; however, these trainings do not cover child labor as a separate category. (11,15) In 2018, the LI reported a lack of refresher trainings on child labor, including on hazardous child labor laws. (11,52,56)

The LI's mandate allows it to investigate for working children between ages 15 and 18 who have entered into an employment contract for a limited period of time. When child labor is discovered, the LI issues the penalty and works with the KP to remove the child from child labor. (2) During the reporting period, one violation was found and referred to the KP; however, according to NGO and media reports, the number of cases reported does not fully reflect the actual number of child labor cases. (2,12,15)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Kosovo 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 and prosecutors.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (11)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (11)	Yes (2)
Refresher Courses Provided	Yes (11)	Yes (2)
Number of Investigations	19 (49)	12 (3)
Number of Violations Found	19 (49)	12 (3)
Number of Prosecutions Initiated	Unknown (11)	Unknown (2)
Number of Convictions	Unknown (11)	Unknown (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (15)	Unknown (15)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (2)

During the reporting period, judges and prosecutors, including 22 newly appointed prosecutors, received training on anti-human trafficking. Teachers in Prizren Municipality were trained on identifying children at risk of being trafficked and the KP received child trafficking training, including on the use of children in commercial sexual exploitation and illicit activities. (2,3) The KP reported that resources and trainings for the KP related to child labor were sufficient in 2018. (2,3)

Legal training on human trafficking for prosecutors and judges was insufficient, causing inadequate prosecutions and incorrect legal application. (11,16,17,43,54) In addition, better supervision and standardized data collection of human trafficking cases, as well as specialization of prosecutors and judges, would improve the pace and quality of case processing. (3,22,31,54,55)

The KP systematically tracks the children referred to CSWs as a result of investigations conducted by its domestic violence and trafficking units. (11,30,48) However, CSWs reported the need for a shelter and short-term care services for child labor victims. (2) In addition, CSWs did not adequately identify cases of forced begging, which are typically classified as parental neglect or abuse. (3)

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 adequate coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Committee for Prevention and Elimination of Child Labor	Coordinates government policies to combat child labor. Oversees and provides policy guidance for activities to prevent and eliminate child labor. Comprises representatives of government agencies, the KP, trade unions, and an NGO. (47) Chaired by MLSW. (11) Active in 2018. (2,54)
Child Labor Monitoring System	Addresses child labor at the municipal level, identifies and provides existing child services, documents child labor trends, and evaluates local responses to child labor. (14)
National Agency Against Trafficking in Persons	Coordinates policy implementation, and monitors and reports on actions to combat child trafficking through a National Anti-Trafficking Coordinator (NATC). (16,56,57) NATC is a deputy Interior Minister. (15,52) Includes representatives from the government, judiciary, municipal offices, NGOs, and the international community. (43,52) Met regularly in 2018 with a focus on improving border collaboration on human trafficking with Albania and reviewing the National Action Plan. (3)
Municipal Local Action Committees	Prevent and eliminate child labor and report to the Child Labor Monitoring System. Members include representatives from schools, municipal education departments, and the KP. (29,47) Active in 2018. (54)

MODERATE ADVANCEMENT

In late 2013, the MLSW began using new software to collect and process data on labor violations and make these data available to all ministries and law enforcement bodies. (14) During the reporting period, however, the Child Labor Monitoring System continued to lack quality data analysis, and there was unsatisfactory data sharing between municipal authorities and the MLSW. (10,11,15,43,57)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, gaps exist that hinder efforts to address child labor, including funding to support the implementation of policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Children's Rights Action Plan (2019–2021)†	Aims to improve social, economic, and legislative rights and protection of children through developing institutions at the local and national levels. (54,58) Includes an accompanying Children's Rights Strategy (2019–2023). (54,58) The Strategy includes five objectives, one of which is the prevention, protection, and reintegration of child laborers. (54)
National Strategy and Action Plan Against Trafficking in Persons (2015–2019)	Aims to prevent and combat human trafficking by raising awareness, identifying victims, and strengthening criminal law enforcement. (59,60) In 2018, helped improve the government's ability to combat trafficking of children involved in begging and other illicit commerce. (2) The KP participated in raids, awareness campaigns, and trainings to combat child labor.
Strategy for the Inclusion of Roma and Ashkali Communities (2016–2020)	Focuses on employment, social issues, healthcare, and housing for the Ashkali and Roma communities. Aims to strengthen rights and full integration into society. (61) A special educational component promotes inclusive education for children from these communities. (62)
Kosovo Education Strategic Plan (2017–2021)	Emphasizes the inclusion of vulnerable minorities in the education system, especially for preschool children of the Roma, Ashkali, and Balkan Egyptian communities. Establishes regulations at the municipality level to facilitate preschool enrollment and raises awareness on school attendance and enrollment. (63) Active in 2018. (54)
Regulation on the Implementation of the Rights of Children Through a Child Friendly Municipal Governance System†	Protects and promotes the rights of children. (64) Ensures that municipalities are child friendly and guarantees that all children receive social services, education, and safety. (64) Includes a draft Strategy and Action Plan. (54,65) In 2018, the Regulation on the Implementation of the Rights of Children was approved at the local levels. (54)

† Policy was approved during the reporting period.

The government has not included child labor elimination and prevention strategies into the Strategy for the Inclusion of Roma and Ashkali Communities, and very little progress was made on the Strategy due to absence of political will and budget limitations. (15,52,54,66)

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 funding.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor†	USDOL-funded global project implemented by the ILO to (1) improve the knowledge base on child labor, forced labor, and human trafficking; (2) improve awareness of these issues through the use of data-driven techniques; (3) strengthen policies and improve the capacity of governments and other stakeholders to combat child labor, forced labor, and human trafficking through national, regional, and global initiatives; and (4) strengthen partnerships to accelerate progress in combating child labor, forced labor, and human trafficking. In 2018, USDOL conducted a workshop to identify how to combat child labor in the country. (51) Additional information is available on the USDOL website.
Hope and Homes for Children†	Government-funded NGO shelter. Accommodates child victims of abuse or human trafficking. (53) Active in 2018 by caring for child victims of human trafficking. (53,54)
UN Common Development Plan (2016–2020)	Funded and implemented by the UN Kosovo Team. Focuses on promoting international standards and human rights safeguards of migrants and the social protection and educational inclusion of the Roma, Ashkali, and Balkan Egyptian communities. (67) Active in 2018. (54)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Hotline†	Government-operated hotline for victims of domestic violence and human trafficking. Increased the total number of operators from one to two in 2018. (3) In 2018, received 929 calls, 8 of which were related to human trafficking. (3)

† Program is funded by the Republic of Kosovo.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (3,68)

The government continued to support social assistance to at-risk families and provided free school meals and textbooks. (2) In addition, three municipalities established interagency case management roundtables, led by the CSWs, to encourage tackling child abuse at the local level. (2,21,69) However, Hope and Homes for Children and reintegration services for victims of human trafficking did not receive sufficient funding. (3,54)

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 Kosovo (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that staff members at Centers for Social Work have sufficient capacity and resources, such as personnel and training, to address the specific needs of child labor victims and properly screen child beggars.	2018
	Publish information on labor and criminal law enforcement, including the number of child labor penalties imposed that were collected, number of criminal law enforcement prosecutions initiated, and number of convictions related to child labor.	2018
	Ensure mechanisms exist to enforce protections for children in the informal sector.	2017 – 2018
	Ensure that labor inspectors conduct child labor inspections on private farms and in areas with ethnic-Serb majorities.	2017 – 2018
	Incorporate topics on child labor in trainings for new employees and refresher courses, and ensure trainings on new child labor laws for all labor inspectors.	2017 – 2018
	Ensure that the penalties in the legal framework regulating the crime of human trafficking are correctly applied, including by providing training and supervision to prosecutors and judges on the legal framework for human trafficking cases.	2012 – 2018
Coordination	Increase inter-ministerial communication within the Ministry of Internal Affairs and between the Ministry of Internal Affairs and the Ministry of Labor and Social Welfare to adequately combat child labor and commercial sexual exploitation.	2012 – 2018
	Improve the capacity of the Child Labor Monitoring System to better analyze data on child labor and improve data sharing between municipal authorities and the Ministry of Labor and Social Welfare.	2013 – 2018
Government Policies	Integrate child labor elimination and prevention strategies into the Strategy for the Inclusion of Roma and Ashkali Communities.	2016 – 2018
	Fully fund and implement the Strategy for the Inclusion of Roma and Ashkali Communities so that victims of child labor receive sufficient social services.	2016 – 2018
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2018
	Make additional efforts to register Ashkali, Balkan Egyptian, and Roma children at birth.	2011 – 2018
	Fully fund and operate shelters that house child victims of trafficking for interviewing and accommodating child victims.	2016 – 2018

MODERATE ADVANCEMENT

REFERENCES

- 1 Conflict Prevention Forum. Begging in Kosovo and Its Impact on People's Safety. 2014. Source on file.
- 2 U.S. Embassy- Pristina. Reporting. January 10, 2019.
- 3 U.S. Embassy- Pristina. Reporting. February 27, 2019.
- 4 U.S. Department of State. Trafficking in Persons Report- 2019: Kosovo. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/kosovo/>.
- 5 UNICEF. Monitoring the situation of children and women: Multiple Indicator Cluster Survey 2013-2014. 2014. Source on file.
- 6 UNICEF. Roma, Ashkali and Egyptian Communities in Kosovo: Multiple Indicator Cluster Survey 2013-2014. 2014. https://www.unicef.org/kosovoprogramme/2013-2014_MICS_RAE_ENG.pdf.
- 7 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 8 UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from the Multiple Indicator Cluster Survey 5, 2014. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 9 ILO. Curbing child labour in Kosovo: Let children be children. February 9, 2015. http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS_343157/lang-en/index.htm.
- 10 Labor Inspectorate Official. Interview with USDOL Official. November 7, 2018.
- 11 U.S. Embassy- Pristina. Reporting. January 22, 2018.
- 12 Hajrizaj, Fjolla. Extreme Poverty Forces Children to be Bread-Winners. Kosovo 2.0. Blog. December 10, 2018. https://kosovotwopointzero.com/en/extreme-poverty-forces-children-to-be-bread-winners/?fbclid=IwAR06UIVE_QchooEG4IjeExnaKRqitFRffqCSZMPTdT7btjBehziNVvwAM.
- 13 Molliqaj, Leonida. Scavenger Hunters: Kosovo's Exploited Scrap Collectors. Gijlan, Kosovo Polje, Pristina: Balkan Insight. February 11, 2019. https://balkaninsight.com/2019/02/11/scavenger-hunters-kosovos-exploited-scrap-collectors/?fbclid=IwAR2NKxCS-NH212oNTKeuVPvjEYEDAy8_zzQPoWqsn9toCoDaGKz4NHm027s.
- 14 U.S. Embassy- Pristina. Reporting. January 14, 2016.
- 15 U.S. Embassy- Pristina official. Email communication to USDOL official. June 11, 2019.
- 16 U.S. Department of State. Trafficking in Persons Report- 2017: Kosovo. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/kosovo/>.
- 17 U.S. Embassy- Pristina. Reporting. February 15, 2017.
- 18 U.S. Embassy- Pristina. Reporting. February 25, 2015.
- 19 KOHA.net. Citizens, the main reason that young children are begging in the streets. July 17, 2018. <https://www.koha.net/kosove/105685/qytetaret-donatoret-kryesore-qe-femijet-lemoshekerkues-jane-ne-rruge/>.
- 20 KOHA.net. Employed children who keep the family. March 14, 2018. <https://www.koha.net/arberi/80940/femije-te-punesuar-qe-mbajne-familjen/>.
- 21 Kosovo Minister of Labor. Interview with USDOL Official. November 8, 2018.
- 22 Ministry of Interior Official. Interview with USDOL Official. November 7, 2018.
- 23 Terre Des Hommes Official. Interview with USDOL Official. November 8, 2018.
- 24 Human Rights Watch Submission on Bosnia and Herzegovina, Serbia and Kosovo to the European Commission Progress Report Consultation. New York. June 2015. <https://www.hrw.org/news/2015/07/24/human-rights-watch-submission-bosnia-and-herzegovina-serbia-and-kosovo-european>.
- 25 Halili, Delfina. Held Back and Excluded, Kosovo 2.0. Blog. October 11, 2016. <http://kosovotwopointzero.com/en/held-back-and-excluded/>.
- 26 Ministry of Education Official. Interview with USDOL Official. November 7, 2018.
- 27 Ademi, Agim. Approximately 20 Ashkali pupils drop out of school. KOHA.net. March 5, 2019. <https://www.koha.net/kosove/148552/afro-20-nxenes-te-komunitetit-ashkali-braktisin-mesimin/>.
- 28 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Kosovo. Washington, DC. March 13, 2019. <https://www.state.gov/wp-content/uploads/2019/03/KOSOVO-2018-HUMAN-RIGHTS-REPORT.pdf>.
- 29 U.S. Embassy- Pristina official. Email communication to USDOL official. March 26, 2015.
- 30 U.S. Embassy- Pristina official. Email communication to USDOL official. May 31, 2017.
- 31 KOMF Child Protection Index 2.0. 2017. <http://www.childpact.org/wp-content/uploads/2018/01/Child-Protection-Index-2.0.pdf>.
- 32 Republic of Kosovo. Constitution of the Republic of Kosovo. Enacted: 2008. [http://www.assembly-kosova.org/common/docs/Constitution of the Republic of Kosovo.pdf](http://www.assembly-kosova.org/common/docs/Constitution%20of%20the%20Republic%20of%20Kosovo.pdf).
- 33 Republic of Kosovo. Labour Law, Law No.03/L -212. Enacted: October 8, 2001. <http://www.assembly-kosova.org/common/docs/ligjet/2010-212-eng.pdf>.
- 34 Republic of Kosovo. Administrative Instruction GRK 05/2013 to prevent and prohibit hazardous child labor in Kosovo. Enacted 2013. http://www.kryeministri-ks.net/repository/docs/UDHEZIMI_ADMINISTRATIV_QRK_NR_05_2013.pdf.
- 35 Republic of Kosovo. Administrative Instructions No.2008 on Prevention and Elimination of the Most Hazardous Forms of Child Labor in Kosovo. 2008. Source on file.
- 36 Republic of Kosovo. Law No. 04/L-218 On Preventing and Combating Trafficking in Human Beings and Protecting Victims of Trafficking. Enacted: August 19, 2013. Source on file. <http://www.kuvendikosoves.org/?cid=2,191,1045>.
- 37 Republic of Kosovo. Criminal Code of the Republic of Kosovo. Pristina. Enacted: November 23, 2018. http://ligjet.assembly-kosova.org/Uploads/Data/Documents/Codeno06L-074_km3reeds5V.pdf.
- 38 Republic of Kosovo. Administrative Instruction No. 10/2017 on the List of Indicators for Formal Identification of Trafficking in Human Beings. October 2017. http://www.kryeministri-ks.net/repository/docs/UDHEZIMI_ADMINISTRATIV_QRK_-_NR_10.2017_PËR_LISTËN_E_TREGUESVE_PËR_IDENTIFIKIMIN_ZYRTAR_TË_VIKTIMAVE_TË_TRAFIKIMIT_ME_NJERZË.pdf.
- 39 Republic of Kosovo. Draft Law on Child Protection. <http://www.kuvendikosoves.org/?cid=2,194,993>.
- 40 Republic of Kosovo. Law on the Kosovo Security Force. Pristina. Enacted December 14, 2018. http://ligjet.assembly-kosova.org/Uploads/Data/Documents/Lawno06L-124_pHTHgSdvm6.pdf.
- 41 Republic of Kosovo. Law on Pre-University Education in the Republic of Kosovo, No. 04/L-032. Enacted: August 29, 2011. <http://www.kuvendikosoves.org/?cid=2,191,666>.

- 42 Republic of Kosovo. Law on the Kosovo Security Force. Enacted: March 13, 2008.
http://www.gazetazyrtare.com/e-gov/index.php?option=com_content&task=view&id=140&Itemid=56&lang=en.
- 43 U.S. Embassy- Pristina. Reporting. January 20, 2017.
- 44 Kasapolli-Selani, Ariana. In the absence of the law, child protection regulations are adopted. Radio Free Europe. February 21, 2019.
<https://www.evropaelire.org/a/ne-mungese-te-ligjit-miratohen-rregullore-per-mbrojtjen-e-femijeve-/29781484.html>.
- 45 KOHA.net. The Assembly adopts the Law on Protection of Children. Pristina. June 27, 2019.
<https://www.koha.net/arberi/171019/kuvendi-miraton-ligjin-per-mbrojtjen-e-femijeve/>.
- 46 KOMF Official. Interview with USDOL Official. November 8, 2018.
- 47 U.S. Embassy- Pristina. Reporting. January 16, 2014.
- 48 U.S. Embassy- Pristina. Reporting. February 2, 2015.
- 49 U.S. Embassy- Pristina. Reporting. February 16, 2018.
- 50 Republic of Kosovo. Law on Inspection of Education in Kosovo. Enacted: September 8, 2004.
http://www.gazetazyrtare.com/e-gov/index.php?option=com_content&task=view&id=71&Itemid=28&lang=en.
- 51 MLSW, KP, MOI Officials. Roundtable with USDOL Official. November 9, 2018.
- 52 U.S. Embassy- Pristina official. Email communication to USDOL official. February 8, 2018.
- 53 Hope for Homes Shelter Official. Interview with USDOL Official. November 8, 2018.
- 54 U.S. Embassy- Pristina official. Email communication to USDOL official. February 14, 2019.
- 55 Ministry of Justice Official. Interview with USDOL Official. November 7, 2018.
- 56 U.S. Embassy- Pristina. Reporting. March 17, 2014.
- 57 U.S. Embassy- Pristina official. Email communication to USDOL official. March 4, 2016.
- 58 Republic of Kosovo. The Strategy on Children's Rights and the Economic Reform Program approved. January 29, 2019.
<http://kryeministri-ks.net/en/the-strategy-on-childrens-rights-and-the-economic-reform-program-approved/>.
- 59 Republic of Kosovo. National Strategy against Trafficking in Human Beings in Kosovo 2015-2019. 2015. Source on file.
- 60 Republic of Kosovo. National Action Plan Against Trafficking in Human Beings in Kosovo 2015-2019. 2015. Source on file.
http://www.kryeministri-ks.net/repository/docs/NATIONAL_STRATEGY_AGAINST_TRAFFICKING_IN_HUMAN_BEINGS_IN_KOSOVO.pdf.
- 61 Republic of Kosovo. Towards a New Policy Strategy for the Inclusion of Roma, Ashkali and Egyptian Communities in Kosovo 2016-2020. May 2016.
http://www.keen-ks.net/site/assets/files/1395/towards_a_new_policy.pdf.
- 62 UNMIN and Republic of Kosovo. Strategy for Integration of Roma, Ashkali, and Egyptian Communities in Kosovo - Education Component 2007-2017. 2007.
https://phzh.ch/globalassets/ipe.phzh.ch/projekte/europaweite-projekte/nezi-netzwerk-albanischer-sprachraum/4_nezi-konferenz-2/eng_3_strategy-for-integration-of-romaashkali-and-egyptian-communities-in-kosovo.pdf.
- 63 Republic of Kosovo. Kosovo Education Strategic Plan (2017-2021). 2017.
http://www.kryeministri-ks.net/repository/docs/KOSOVO_EDUCATION_STRATEGIC_PLAN.pdf.
- 64 KOMF. Regulation on the Implementation of the Rights of Children. 2018.
<http://www.komfkosova.org/modeli-i-rregullores-per-realizimin-e-te-drejtave-te-femijeve-permes-sistemit-qeverises-komunal-miqesor-per-femijet/?lang=en>.
- 65 KOMF. Draft Strategy and Action Plan for Child Friendly Municipality. 2018.
<http://www.komfkosova.org/modeli-i-strategjise-dhe-planit-te-veprimit-per-komunen-mike-per-femije/?lang=en>.
- 66 U.S. Embassy- Pristina official. Email communication to USDOL official. May 3, 2018.
- 67 United Nations Kosovo Team. The United Nations Common Development Plan 2016-2020. 2016.
<http://unkt.org/en/cdp/>.
- 68 KOHA.net. Ferizaj is doing a care center for marginalized children. Ferizaj. March 5, 2019.
<https://www.koha.net/kosove/148672/ferizaj-behet-me-qender-te-kujdesit-per-femijet-e-margjinalizuar/>.
- 69 KOMF. Association of Kosovo Municipalities signs a Memorandum of Understanding between KOMF and OFAP. September 10, 2018.
<http://www.komfkosova.org/asociacioni-i-komunave-te-kosoves-nenshkruan-marreveshje-bashkepunimi-ne-mes-te-komf-dhe-ofap/?lang=en>.

In 2018, the Kyrgyz Republic made a minimal advancement in efforts to eliminate the worst forms of child labor. The government continued evening classes for secondary school students in districts with high numbers of child laborers and a cash transfer program for families living in difficult situations. However, children in the Kyrgyz Republic engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. The government's child trafficking laws are not in line with international standards, and research indicates that the State Inspectorate on Ecological and Technical Safety employed an insufficient number of labor inspectors. In addition, the compulsory education age remained lower than the minimum age for work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Kyrgyz Republic engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-4) Children also engage in child labor in agriculture. (5-9) Table I provides key indicators on children's work and education in the Kyrgyz Republic.

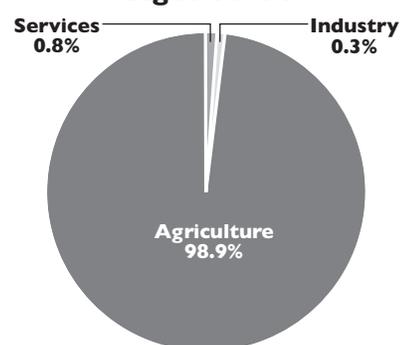
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	33.9 (397,407)
Attending School (%)	5 to 14	86.5
Combining Work and School (%)	7 to 14	41.0
Primary Completion Rate (%)		103.8

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (10)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labour Survey, 2014. (11)

Figure I. Working Children by Sector, Ages 10-14



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	Cultivating cotton, tobacco,† rice, potatoes, sugar beets, and wheat (3,5-9,12-15) Raising cattle and sheep (3,8,12,13,16)
Industry	Coal mining† (3,9,12,13,16,17) Brick making (3,12,13,16) Construction, including lifting and portering construction materials, and cutting metal sheets for roofs (3,13,16-18)
Services	Working in bazaars, including loading and unloading goods, portering, collecting plastic bottles and garbage, and selling items, including food and newspapers (2,5,7,9,15,16,19-21) Washing cars (7,16) Working in restaurants and cafes, including serving food and washing dishes (5,12,16,22) Street work, including begging and shoe shining (1,12,14,15) Domestic work, including child care (1,2,6,9,14)
Categorical Worst Forms of Child Labor‡	Forced labor in raising cattle and sheep, sometimes as a result of human trafficking (3,9) Commercial sexual exploitation, sometimes as a result of human trafficking (1-4) Use in illicit activities, including trafficking drugs, as a result of human trafficking (4,23)

† 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.

Kyrgyz Republic

MINIMAL ADVANCEMENT

Hazardous child labor is most prevalent in the *oblasts* (provinces) of Naryn and Osh. (21) Children from the Kyrgyz Republic who travel to Kazakhstan to work, either with their parents or unaccompanied, cannot attend school due to lack of documentation. These children engage in child labor in Kazakhstan in construction, farming, herding, or selling products in the market; some fall victim to forced child labor. (24) There is some evidence that children migrate with their families to work in the cotton fields in Kazakhstan. (25)

The inability to enroll in school makes children from a variety of circumstances vulnerable to child labor. (3,20,26-28) According to UNICEF, an estimated 650,000–750,000 citizens of the Kyrgyz Republic work abroad, and an additional 1 million are internal migrants. (26,28) Some children, who are left behind when their parents migrate to work in other countries or other areas of the Kyrgyz Republic, could not access their birth certificates or guardianship documents, which are required for school enrollment. (5,12,26,28-30) Many ethnic Lyuli children, a group of approximately 3,500 Central Asian Roma people living in the Kyrgyz Republic, are also prevented from attending school due to not having the required documentation. (27,31) Similarly, many migrant children lack registration documents. (26) Children with disabilities and those living and working on the street also have difficulty accessing education. (3,20) According to the Ministry of Education and Science, residence registration is not required for children to attend school; however, research reports that some schools require residence registration, known as *propiska*, for school enrollment. (2,3,6,32)

II. Legal Framework for Child Labor

The Kyrgyz Republic 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 the Kyrgyz Republic's legal framework to adequately protect children from the worst forms of child labor, including prohibition of child trafficking.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 18 of the Labor Code (26)
Minimum Age for Hazardous Work	Yes	18	Article 294 of the Labor Code; Article 15 of the Code on Children (26,27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 294 of the Labor Code; Decree 314; Annex I of Decree 548 (26,29,33)
Prohibition of Forced Labor	Yes		Article 10 of the Labor Code; Article 15.2 of the Code on Children; Article 1 of the Law on Preventing and Combating Human Trafficking; Article 124 of the Criminal Code (26,27,30,31)
Prohibition of Child Trafficking	No		Article 1 of the Law on Preventing and Combating Human Trafficking; Article 124 of the Criminal Code (30,31)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 157 of the Criminal Code; Articles 5 and 15 of the Code on Children (27,30)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Articles 157, 247, 249, and 375 of the Criminal Code; Articles 5 and 15 of the Code on Children (27,30)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 24.1 of the Law on Military Service (32)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 17.1 and 22.1 of the Law on Military Service (32)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 124, 226–2, 229, and 375 of the Criminal Code (30)
Compulsory Education Age	No	15‡	Article 16 of the Law on Education (34)
Free Public Education	Yes		Article 16 of the Law on Education (34)

‡ Age calculated based on available information. (34)

According to Article 6 of the Labor Code, protections to children granted in the labor code, such as the minimum age of employment and prohibitions on hazardous work, are not extended to children engaged in non-contractual employment. (26)

The prohibitions against child trafficking are insufficient because they require threats, the use of force, or coercion to be established for the crime of child trafficking. (30,31)

Children in the Kyrgyz Republic are required to attend school only until grade nine, which is typically when they reach age 14 or 15. (5,6,35) This standard makes children ages 14 and 15 vulnerable to child labor because they are not required to be in school, but they also are not yet legally permitted to work.

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 authority of the State Inspectorate on Ecological and Technical Safety that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Inspectorate on Ecological and Technical Safety	Monitors work sites and refers child laborers to social services. Coordinates with the Inspectorate for Minors' Affairs in the Ministry of Internal Affairs, the Prosecutor General's Office, and regional State District Administration authorities to enforce child labor laws. (16)
Ministry of Internal Affairs, Inspectorate for Minors' Affairs	Enforce criminal laws related to child labor, including its worst forms. Conducts independent inspections and joint raids with the State Inspectorate on Ecological and Technical Safety to find neglected or abused children. Refers children to social institutions for care. (16)
Prosecutor General's Office	Enforces and applies labor-related laws, including labor inspections and investigations of child labor violations, in coordination with the State Inspectorate on Ecological and Technical Safety. (16)
Oblast Administration	Enforces child labor laws at the <i>oblast</i> (province) level. (16)
Ministry of Labor and Social Development	Serves as the key government agency for children's issues. Protects children and families in difficult living situations, including child laborers. Coordinates with <i>oblast</i> -level authorities to investigate violations of child labor laws. (16)

Labor Law Enforcement

In 2018, labor law enforcement agencies in the Kyrgyz Republic took actions to combat child labor (Table 6). However, gaps exist within the authority of the State Inspectorate on Ecological and Technical Safety that may hinder adequate labor law enforcement, including human resource allocation.

Kyrgyz Republic

MINIMAL ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (36)	Unknown (37)
Number of Labor Inspectors	Unknown (36)	30 (37)
Inspectorate Authorized to Assess Penalties	Yes (20)	Yes (20)
Initial Training for New Labor Inspectors	No (36)	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (36)	No (16)
Number of Labor Inspections Conducted	Unknown (36)	799‡ (37)
Number Conducted at Worksite	Unknown (36)	Unknown
Number of Child Labor Violations Found	Unknown (36)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (36)	Unknown (37)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (36)	Unknown (37)
Routine Inspections Conducted	Unknown (36)	Yes (37)
Routine Inspections Targeted	Unknown (36)	Unknown
Unannounced Inspections Permitted	Yes (38,39)	Yes (38,39)
Unannounced Inspections Conducted	Unknown	Yes (37)
Complaint Mechanism Exists	Yes (20)	Yes (20)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (40)	Yes (40)

‡ Data are from January 1, 2018 to September 30, 2018.

In 2018, the State Inspectorate on Ecological and Technical Safety employed 30 labor inspectors. (37) The number of labor inspectors is likely insufficient for the size of the Kyrgyz Republic's workforce, which includes over 2.8 million workers. (41) According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transitioning economies, the Kyrgyz Republic would employ about 142 labor inspectors. (20,42,43) The State Inspectorate on Ecological and Technical Safety acknowledged that the number of labor inspectors was inadequate to ensure appropriate enforcement of child labor laws. (20) According to the ILO, the Inspectorate lacked sufficient funding to carry out inspections. (16)

During the reporting period, the State Inspectorate on Ecological and Technical Safety identified 236 child laborers. Separately, investigators of the Inspectorate for Minors' Affairs of the Ministry of Internal Affairs identified 554 child laborers. (37)

As of January 1, 2019, a 2-year moratorium on labor inspections came into effect, as a result of which inspections can only be conducted in emergency situations, such as a case in which a worker's life is in danger. (44-46) The Prime Minister described the moratorium as a measure to "improve the business environment." (65)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in the Kyrgyz Republic 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 (36)	No (16)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (47)	Yes (48)
Number of Investigations	4† (47)	70 (48)
Number of Violations Found	Unknown (36)	36 (48)
Number of Prosecutions Initiated	0 (36)	7 (48)

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

Overview of Criminal Law Enforcement	2017	2018
Number of Convictions	0 (36)	Unknown (16)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (36)	Yes (16)

† Data are from January to September 2017.

In 2018, 46 judges, 49 prosecutors, and 91 police officers participated in trainings on human trafficking. The Ministry of Internal Affairs provided 600 officials with training to counter human trafficking. (48) During the reporting period, inspectors of the State Inspectorate on Ecological and Technical Safety identified 8 children engaged in the worst forms of child labor. Additionally, the Ministry of Internal Affairs' Inspectorate for Minors' Affairs identified 22 children engaged in worst forms of child labor. (37) The government also identified 36 child victims of human trafficking. (48) It is unclear whether these two sets of statistics overlap.

The government investigated cases of human trafficking involving children. (48) Five individuals were convicted of human trafficking charges during the reporting period; it is unclear whether these overlapped with cases of child trafficking. (48)

Reports suggest Kyrgyz police officers sexually exploit female trafficking victims, including some younger than age 18. Concerns persist about police misconduct, including allegations that police threaten and extort sex trafficking victims, including minors, and reports indicate that police accept bribes from alleged traffickers to drop cases. (4)

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 coordination among agencies.

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

Coordinating Body	Role & Description
Children's Affairs Commission	Assesses the needs of children in difficult situations, including child laborers; creates individual development plans; and monitors service delivery. Members include social workers from regional Departments of Child Protection of the Ministry of Labor and Social Development and law enforcement authorities. (16) In 2018, the Commission met regularly to ensure implementation of individual action plan and service delivery, as described in the Regulations on the Procedure for the Identification of Children and Families in Difficult Situations. (16,40)
Coordination Council for Social Protection and Children's Rights	Develops policies to eliminate child labor. (49) Chaired by the Deputy Prime Minister, members include representatives from the Ministry of Labor and Social Development and three other ministries. (50,51) Met quarterly in 2018. (16)
Coordination Council on Migration	Monitors and combats human trafficking as a key priority. Chaired by the Deputy Prime Minister for Social Issues. Members include representatives from the Office of the President, government ministries, international organizations, and NGOs. (52) In 2018, the Council held 4 meetings. (48)

Based on available information, lack of nation-wide information sharing between government agencies and NGOs prevented stakeholders from identifying children at risk of human trafficking. (16)

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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
Inter-agency Action Plan on Measures to Prevent the Involvement of Children in the Worst Forms of Child Labor (2016–2018)	Aims to address the worst forms of child labor by identifying children at risk of child labor, including those in difficult living situations; providing social services; conducting awareness-raising campaigns, including seminars for social pedagogues and forums for children and their parents on hazardous work; sharing experiences and best practices with international organizations and NGOs; and creating a manual on child protection for labor inspectors. (53,54) In 2018, the Children's Affairs Commission implemented this plan. Social workers and law enforcement officers met regularly to ensure service delivery to children. (16)
Regulations on the Procedure for the Identification of Children and Families in Difficult Situations	Establishes the process for identifying children in difficult living situations, including those engaged in the worst forms of child labor. Receives complaints, conducts outreach activities, devises individual action plans, removes children from the worst forms of child labor, and provides financial and educational services. (40) The Children's Affairs Commission met regularly to consider individual cases of children and to ensure individual development plans are implemented within 6 months. (16,40)
National Action Plan to Combat Trafficking in Persons (2017–2020)	Improves legal framework on human trafficking; improves dissemination of information on human trafficking risks for migrants and vulnerable populations; raises awareness about protections for victims and criminal penalties for perpetrators; and improves coordination among government agencies, NGOs, and international partners. (55) In June, government agencies, in cooperation with international organizations, developed a standardized media plan to increase public awareness of human trafficking. During the reporting period, the government held a national campaign called "100 Days to Prevent Human Trafficking" to raise awareness about human trafficking that reached approximately 10,000 people through roundtable discussions, press conferences, song and dance contests, and TV programs. (48)

The government has not included child labor elimination and prevention strategies in the National Education Strategy and Roadmap on Out-of-School Children. (35,56)

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 implementation and adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Combating Child Labor in Central Asia - Commitment Becomes Action (PROACT CAR Phase III) (2010–2018)	\$4.57 million Government of Germany-funded 8-year project implemented by the ILO to mainstream child labor issues into national policies and legislation, build the capacity of stakeholders, and provide direct services to children withdrawn from the worst forms of child labor. (56,57) In 2018, the ILO held a 2-day event, in which 18 teams of information technology experts competed in creating a mobile application to help track the status of a case and included child labor identification, needs assessment, and recommendations for services. The Ministry of Labor and Social Development planned to test the app as a child labor monitoring system in a pilot program. (58)
Evening Classes for Child Laborers†	Government-funded program that provides evening classes to secondary school students in districts with high numbers of child laborers. (36) In 2018, the Bishkek Mayor's Office provided funding for the schools in Bishkek. (16)
Social Support for Children and Families in Difficult Living Situations†	Government-funded program to monitor places where children may be working, with a primary focus on bazaars, and to return these children to school. (59) Research did not find information about the implementation of this program in 2018.
Cash Transfer Program†	Government-funded cash transfer program for families living in difficult situations, including families with children engaged in child labor. (49) In 2018, the Ministry of Labor and Social Development continued to provide cash assistance to such families. However, based on available information, the amount of assistance appears to be low. (60)
Ministry of Education and Science National School Attendance Database†	Government-funded program implemented by the Ministry of Education and Science to pilot a national electronic database to track children who do not attend school. Following development and use throughout the country, database information is intended to be shared with the Ministry of Labor and Social Development to assist children engaged in child labor. (6) The database is meant to provide information to the Ministry of Internal Affairs on cases of criminal violations of child labor laws. In addition, school social pedagogues would use the database to work with families, ensuring that children attend school. (6) Research did not find information about the use of the database in 2018.

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Support of Family and Protection of Children (2018–2028)†	Government-funded program that includes limited activities to address child labor, including revising Decree 314, the hazardous work list for children. Responsible for organizing competitive bids for projects, including one that will result in four new social services centers by 2020 for families and children in difficult living situations. Provides local administrations with income-generating ideas for families in difficult living situations. (61,62) Research did not find information about the implementation of this program in 2018.

† Program is funded by the Government of the Kyrgyz Republic.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (63,64)

Although the Kyrgyz Republic has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in commercial sexual exploitation as a result of human trafficking and in agriculture, including cultivating cotton.

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 the Kyrgyz Republic (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's minimum age provisions and hazardous work prohibitions apply to all children, including those working without an employment contract.	2014 – 2018
	Ensure that child trafficking laws do not require an element of force or deception and are in accordance with international standards.	2015 – 2018
	Ensure that the age up to which education is compulsory is the same as the minimum age for work.	2014 – 2018
Enforcement	Publish information about the funding of the State Inspectorate; the number of labor inspections at worksites; the number of violations and penalties imposed and collected; information regarding whether inspections are targeted; and the number of convictions related to the worst forms of child labor.	2011 – 2018
	Strengthen the labor inspection system by providing child labor training for labor inspectors and new criminal investigators.	2014 – 2018
	Significantly increase the number of labor inspectors to meet the ILO's technical advice. Provide inspectors with adequate training and resources to conduct inspections.	2012 – 2018
	Lift the moratorium on labor inspections.	2018
	Ensure that criminal law enforcement agencies investigate and prosecute violations related to the worst forms of child labor, including cases of possible police complicity in abusing victims.	2015-2018
	Ensure nation-wide information sharing among stakeholders, including government agencies and NGOs, to identify and protect children at risk of human trafficking.	2018
Government Policies	Integrate child labor elimination and prevention strategies into the National Education Strategy and the Roadmap on Out-of-School Children.	2015 – 2018
Social Programs	Ensure that all children have access to free education, including Lyuli children, children with disabilities, those living and working on the street, and those without birth certificates and guardianship documents.	2009 – 2018
	Implement all social programs, including Social Support for Children and Families in Difficult Living Situations, the Ministry of Education and Science National School Attendance Database, and the Support of Family and Protection of Children program.	2016 – 2018
	Expand existing programs to address the scope of the child labor problem, particularly in commercial sexual exploitation as a result of human trafficking and in agriculture, including cultivating cotton.	2014 – 2018

REFERENCES

- IOM official. Interview with USDOL official. May 18, 2015.
- Adilet Legal Clinic official. Interview with USDOL official. May 21, 2015.
- Association for the Promotion of Rights and Interests of Children official. Interview with USDOL official. May 20, 2015.
- U.S. Department of State. Trafficking in Persons Report- 2018: Kyrgyz Republic. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/kyrgyz-republic/>.
- ILO-IPEC official. Interview with USDOL official. May 18, 2015.
- Ministry of Education and Science official. Interview with USDOL official. May 19, 2015.
- Ministry of Social Development official. Interview with USDOL official. May 19, 2015.
- Trade Union of Agro-Industrial Complex's Worker. Interview with USDOL official. May 21, 2015.
- Bengard, Anastasia. Child Labor. June 11, 2015.

Kyrgyz Republic

MINIMAL ADVANCEMENT

- 10 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
<http://data.uis.unesco.org/>.
- 11 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Labor Survey, 2014. Analysis received March 12, 2019. Please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 12 USAID official. Interview with USDOL official. May 20, 2015.
- 13 Alliance on Protection of Children Rights official. Interview with USDOL official. May 20, 2015.
- 14 Butler, Carolyn. Child Labor Problem Urgent: Kyrgyz Workers. October 3, 2018.
<https://www.solidaritycenter.org/child-labor-problem-urgent-kyrgyzstan-workers/>.
- 15 Kabar. Use of child labor declined in Kyrgyzstan - Federation of Trade Unions. July 2, 2018.
<http://kabar.kg/eng/news/use-of-child-labor-declined-in-kyrgyzstan-federation-of-trade-unions/>.
- 16 U.S. Embassy - Bishkek. Reporting. January 11, 2019.
- 17 ILO, and National Statistics Committee of Kyrgyzstan. Working Children in Kyrgyz Republic: Child Labour Survey 2014–2015. October 25, 2016.
- 18 Kaktus Media. In Kyrgyzstan, the highest rate of child labor. November 6, 2017.
https://kaktus.media/doc/365831_v_kyrgyzstane_samy_vysokiy_pokazatel_ispolzovaniia_detskogo_tryda.html.
- 19 Toktonaliev, Timur. Kyrgyz Child Workers Harassed, Not Helped by Police. June 25, 2014.
<https://iwpr.net/global-voices/kyrgyz-child-workers-harassed-not-helped-police>.
- 20 State Inspectorate on Ecological and Technical Safety official. Interview with USDOL official. May 22, 2015.
- 21 AKI Press. 132 working children revealed in Kyrgyzstan in Q1 2016, 8 of them in worst forms of child labor. May 31, 2016.
<http://akipress.com/news:577896>.
- 22 Parliament Committee for Human Rights: Constitutional Legislation and Statehood official. Interview with USDOL official. May 21, 2015.
- 23 U.S. Department of State. Trafficking in Persons Report- 2017: Kyrgyz Republic. Washington, DC. June 27, 2017.
<https://www.state.gov/reports/2017-trafficking-in-persons-report/kyrgyz-republic/>.
- 24 International Federation for Human Rights (FIDH). Invisible and exploited in Kazakhstan: the plight of Kyrgyz migrant workers and members of their families. June 2018.
https://www.fidh.org/IMG/pdf/kyrgyz_migrant_workers_in_kazakhstan.pdf.
- 25 UN Human Rights Council. Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, prepared by Gulnara Shahinian, pursuant to UN General Assembly Resolution A/HRC/27/53/Add.2. August 26, 2014.
http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A_HRC_27_53_Add_2_ENG.doc.
- 26 Government of the Kyrgyz Republic. Labor Code of the Kyrgyz Republic, No. 106, as amended. Enacted: August 4, 2004.
http://www.mkk.gov.kg/index.php?option=com_content&view=article&catid=116:-1-5-&id=1084:-i-v&lang=ru.
- 27 Government of the Kyrgyz Republic. The Kyrgyz Republic’s Code on Children, No. 100. Enacted: July 10, 2012. Source on file.
- 28 UNICEF. Children of migrants - Invisible Children. 2018.
<https://www.unicef.org/kyrgyzstan/children-migrants>.
- 29 Government of the Kyrgyz Republic. Decree No. 548 on the Adoption of a Standard Maximum Weight for the Lifting and Moving of Heavy Loads by Women and Workers under the Age of 18. Enacted: December 2, 2005.
<http://cbd.minjust.gov.kg/act/view/ru-ru/56683?cl=ru-ru>.
- 30 Government of the Kyrgyz Republic. Criminal Code of the Kyrgyz Republic, No 68, as amended. Enacted: October 1, 1997.
http://legislationline.org/download/action/download/id/4221/file/Kyrgyzstan_CC_1997_am_2006_en.pdf.
- 31 Government of the Kyrgyz Republic. Law No. 55 on Preventing and Combating Human Trafficking. Enacted: March 17, 2005.
<http://www.legislationline.org/ru/documents/action/popup/id/14215>.
- 32 Government of the Kyrgyz Republic. Law No. 43 on the Universal Conscription of Citizens of the Kyrgyz Republic, Military and Alternative Service. Enacted: February 9, 2009.
<http://cbd.minjust.gov.kg/act/view/ru-ru/202536?cl=ru-ru>.
- 33 Government of the Kyrgyz Republic. Decree No. 314 on the List of Industries, Occupations and Work with Difficult and Hazardous Working Conditions, and Employment in which is Prohibited for Persons under the Age of Eighteen (as amended). Enacted: July 2, 2001.
<http://cbd.minjust.gov.kg/act/view/ru-ru/33457/30?mode=tekst>.
- 34 Government of the Kyrgyz Republic. Law of the Kyrgyz Republic on Education, No 92, as amended. Enacted: April 30, 2003.
http://www.tradeunion-ed.kg/ru/normativno-pravovyye_aktiyi/zakon_kyrgyzskoj_respubliki_ob_obrazovanii.html.
- 35 Government of the Kyrgyz Republic. Decree 201 on National Educational Strategy 2012–2020. Enacted: March 23, 2012. Source on file.
- 36 U.S. Embassy - Bishkek. Reporting. January 10, 2018.
- 37 U.S. Embassy - Bishkek. Reporting. February 12, 2019.
- 38 Government of the Kyrgyz Republic. Law on the procedure for conducting inspections of business entities, No. 72. May 25, 2007.
<http://cbd.minjust.gov.kg/act/view/ru-ru/202105?cl=ru-ru>.
- 39 Government of the Kyrgyz Republic. Regulation on the procedure for conducting inspections of business entities, No. 56. January 29, 2018.
<http://cbd.minjust.gov.kg/act/view/ru-ru/11692?cl=ru-ru>.
- 40 Government of the Kyrgyz Republic. Resolution No. 391 on the Procedure for the Identification of Children and Families in Difficult Living Situations. Enacted: June 22, 2015.
<http://cbd.minjust.gov.kg/act/view/ru-ru/97689>.
- 41 CIA. The World Factbook. Accessed January 19, 2018. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
<https://www.cia.gov/library/publications/the-world-factbook/geos/kg.html>.
- 42 ILO Committee on Employment and Social Policy. Strategies and practice for labour inspection. November 2006. GB.297/ESP/3. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 43 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 44 People’s Dispatches. Trade unions demand restoration of labor rights in Kyrgyzstan. March 9, 2019.
<https://peoplesdispatch.org/2019/03/09/trade-unions-demand-restoration-of-labor-rights-in-kyrgyzstan/>.
- 45 Kudryavtseva, Tatyana. Investment inflow rate to Kyrgyzstan is positive, Prime Minister believes. June 26, 2019.
https://24.kg/english/121791_investment_inflow_rate_to_Kyrgyzstan_is_positive_Prime_Minister_believes___/.

- 46 IndustriALL Global Union. Workers in Kyrgyzstan left without legal protection. March 7, 2019. <http://www.industrialunion.org/workers-in-kyrgyzstan-left-without-legal-protection>.
- 47 U.S. Embassy- Bishkek. Reporting. February 15, 2018.
- 48 U.S. Embassy- Bishkek. Reporting. February 22, 2019.
- 49 U.S. Embassy- Bishkek. Reporting. January 6, 2016.
- 50 Ministry of Labor and Social Development. Meeting of the Coordination Council for Social Protection and Children's Rights. December 21, 2015. <http://mlsp.gov.kg/?q=ru/obyavleniyary/zasedaniya-koordinacionnogo-soveta-po-socialnoy-zashchite-i-pravam-detey>.
- 51 League of Defenders of Children's Rights. Nazgul Turdubekova Elected Deputy Chairman of the Coordination Council on Social Protection and Children's Rights. December 21, 2015. <http://crdl.kg/ru/news/full/182.html>.
- 52 U.S. Embassy- Bishkek official. Email communication to USDOL official. April 7, 2017.
- 53 U.S. Embassy- Bishkek. Reporting. January 13, 2017.
- 54 Government of the Kyrgyz Republic. Interagency Action Plan on Measures to Prevent the Involvement of Children in the Worst Forms of Child Labor (2016 to 2018). Source on file.
- 55 U.S. Embassy- Bishkek. Reporting. January 18, 2018.
- 56 ILO-IPEC. Combating Child Labour in Central Asia - Commitment becomes Action (PROACT-CAR Phase III). July-December 2013. Technical Progress Report. Source on file.
- 57 ILO-IPEC Geneva official. Email communication to USDOL official. January 3, 2017.
- 58 ILO. Kyrgyzstan: Looking for digital solutions to combat child labour. June 12, 2018. https://www.ilo.org/moscow/news/WCMS_632218/lang--en/index.htm.
- 59 USDOS official. Email communication to USDOL official. May 6, 2015.
- 60 Torogeldi-uulu, Bakyt. In Kyrgyzstan, If You Want Benefits You Might Have to Pay. February 24, 2019. <https://www.rferl.org/a/kyrgyzstan-benefits-bribes-children-social-welfare-kochkorov-minister/29787801.html>.
- 61 Government of the Kyrgyz Republic, Ministry of Justice. Decree 479 of the Government of the Kyrgyz Republic on the Program to Support of Family and Protection of Children for 2018–2028. August 14, 2017. <http://cbd.minjust.gov.kg/act/view/ru-ru/100203?cl=ru-ru>.
- 62 Government of the Kyrgyz Republic, Ministry of Justice. Decree 479 of the Government of the Kyrgyz Republic on the Program to Support of Family and Protection of Children for 2018–2028, Annex 1. August 14, 2017. <http://cbd.minjust.gov.kg/act/view/ru-ru/100204?cl=ru-ru>.
- 63 U.S. Embassy Bishkek official. Email communication to USDOL official. June 9, 2016.
- 64 U.S. Department of State. Federal Assistance Award. 2015. Source on file.
- 65 Government of the Kyrgyz Republic. Prime Minister Mukhammedkalyi Abylgaziev says Successful women entrepreneurs are integral to a successful economy and a prosperous country. July 5, 2019. <http://www.gov.kg/?p=134879&lang=ru>.

In 2018, Lebanon made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Education and Higher Education adopted the Policy for the Protection of Students in the School Environment to protect children's right to education. The government also issued a new regulation for Syrian refugee children ages 15 to 17 that improves their access to education. In addition, the President launched a children's choir to raise awareness on child labor and empower former child laborers. However, children in Lebanon engage in the worst forms of child labor, including in construction and in forced labor in agriculture. Children also engage in child labor in the production of potatoes and tobacco. The Ministry of Labor's budget was unable to cover equipment, personnel, and transport costs to conduct inspections, and labor inspectors do not have the authority to assess penalties. In addition, programs targeting child labor remained insufficient to fully address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Lebanon engage in the worst forms of child labor, including in construction and forced labor in agriculture. (1-4) Children also engage in child labor in the production of potatoes and tobacco. (2,3) Table 1 provides key indicators on children's work and education in Lebanon. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		74.1

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (5)
Data were unavailable from International Labor Organization's analysis, 2019. (6)

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	Farming, including picking potatoes, cucumbers, almonds, plums, olives, beans, figs, grapes, eggplants, and cannabis (2,3,7-14)
	Production of tobacco† (15-17)
	Fishing, activities unknown (2,18)
Industry	Construction,† including carpentry, tiling, and welding† (2,3,10,13,16,19,20)
	Working in cement factories† (19,21)
	Making handicrafts (2,18)
	Working in aluminum factories (10,22)
Services	Working in textile factories (23,24)
	Street work,† including begging, street vending, portering, washing cars, scavenging garbage,† and shining shoes (7,10,13,25-29)
	Maintenance and repair of motor vehicles,† and painting† (2,10,13,24,27)
	Domestic work† (2,10,13,30)

Lebanon

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Cleaning sewage† and collecting waste materials, including scrap metal (2,7,13)
	Food service,† including working as waiters (2,3,10,17,25)
	Working in cemeteries, including covering bodies in shrouds, cleaning graves, and assisting with rituals (31)
	Cleaning marketplaces (7,16)
	Working in slaughterhouses† and butcheries (2,15)
	Working in small shops (2,3,25,27)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including drug trafficking or production, sometimes as a result of human trafficking, and arms dealing (2,20,26,27,31-33)
	Forced begging, sometimes as a result of human trafficking (4,27)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,4,7,24,32,34-36)
	Forced labor in agriculture, sometimes as a result of human trafficking (1-4,13)
	Forced recruitment of children by non-state armed groups for use in armed conflict (37,38)

† 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.

Child labor has increased, and conditions that affect Lebanese and Syrian children have worsened since the influx of Syrian refugees into Lebanon starting in 2011. (14,18,39) As of December 2018, over 948,000 Syrian refugees in Lebanon were registered with UNHCR, and more than half of them were children. (40) Child labor is also prevalent in other refugee communities in Lebanon, including the Palestinian and Iraqi communities. (18,41)

Syrian girls are trafficked into Lebanon for commercial sexual exploitation under the guise of marriage. (4,20) Some boys are also subjected to commercial sexual exploitation, particularly boys who work and Kurdish boys from Syria. (20,42) Working on the streets is especially common among refugee children from Syria, including Palestinians from Syria. (26)

The UN reported that several armed groups recruited children to be used as guards or in support roles, such as in carrying weapons or food. (38)

Syrian children are also subjected to forced labor in agriculture. (1-4) Some Syrian refugee children and their families in the Bekaa Valley are kept in bonded labor in agriculture to pay for makeshift dwellings provided by landowners. (1,4,14,43) Adult Syrian refugees face legal restrictions that allow them to only work in agriculture, construction, and sanitation. (2,44) To work legally, they also need to be registered with the UNHCR or have local sponsors. (44) These restrictions on adults make children vulnerable to child labor. (13,45)

In the last few years, the government waived fees for public primary schools and opened second shifts in about 240 schools. (16) But the public school system in Lebanon lacks the capacity to accommodate the large number of school-age Syrian refugee children. (2,46) Some schools refuse to enroll students who lack documentation, contradicting the official policy. (18,47,48) Over 50 percent of Syrian refugee children and 35 percent of Palestinian refugee children were not enrolled in formal education. (27,48-50) Children in Lebanon, particularly Syrian refugee children, face barriers to accessing education, including the cost of transportation and supplies, occupation of schools by armed groups or use as shelters, fear of passing checkpoints or of violence, lack of private sanitation facilities for girls, discrimination, bullying, corporal punishment, and a different curriculum in Lebanon than in their country of origin. (3,16-18,49,51-55) Children with disabilities, particularly Syrians, are either denied access to schools or do not receive additional tailored services. (54) In addition, some refugee children from Iraq and Syria do not attend Lebanese schools because many classes are taught in French or English, and refugee children do not speak these languages. (51,55) Lebanese and refugee children who work in agriculture often do not attend school during harvesting and planting seasons. (56,57) One local organization observed a direct correlation between school dropout rates and an increase in child labor. (27)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Lebanon has ratified most 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 Lebanon's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of debt bondage.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 22 of the Labor Code (58)
Minimum Age for Hazardous Work	Yes	18	Article 1 of Decree No. 8987 (59)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Annex 1 of Decree No. 8987 (2,59)
Prohibition of Forced Labor	No		Article 8 of Decree No. 3855; Article 569 of the Penal Code (60,61)
Prohibition of Child Trafficking	Yes		Articles 586.1 and 586.5 of the Penal Code (61)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 507–510, 523–527, 586.1, and 586.5 of the Penal Code (61)
Prohibition of Using Children in Illicit Activities	Yes		Articles 586.1, 586.5, and 618 of the Penal Code (61)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 30 of the National Defense Law (62)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 586.1 of the Penal Code; Annex 1 of Decree No. 8987 (59,61)
Compulsory Education Age	Yes	15‡	Article 49 of the Education Law (63)
Free Public Education	Yes		Article 49 of the Education Law (63)

* No conscription (64)

‡ Age calculated based on available information (41)

In Lebanon, basic education is compulsory. (63) Children generally complete basic education at age 15. (41) 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.

Laws related to forced labor are insufficient because there is no legislative provision that provides criminal penalties for the exaction of forced labor, and debt bondage is not criminally prohibited. (61,65)

Government officials have clarified that although Article 610 of the Penal Code criminalizes begging, Article 26 of the Delinquent Juveniles Law, which takes precedence over the Penal Code, stipulates that in cases of begging, the child is considered in danger and entitled to receive protective measures. (61,66,67)

Lebanon

MODERATE ADVANCEMENT

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 authority of the Ministry of Labor 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	Enforces child labor laws through desk review and workplace inspections. Acts as government focal point for child labor issues and hosts the National Steering Committee on Child Labor. (2) The Ministry's Child Labor Unit raises public awareness about child labor and the right to education. Receives complaints on child labor violations on its Child Labor Unit hotline. (2)
Internal Security Forces	Enforces laws regarding child labor through the Anti-Human Trafficking and Morals Protection Bureau. (2)
Ministry of Justice	Prosecutes violations of the Penal Code in coordination with the Internal Security Forces. Maintains general data and statistics on criminal violations involving child labor. (2) Refers at-risk children to shelters and protection services. Coordinates, through signed agreements, with civil society organizations to provide social workers that oversee court proceedings involving juveniles and deliver services to them, including children engaged in begging. (2)
Ministry of Social Affairs	Refers children identified by the Internal Security Forces and the Ministry of Justice to protective institutions, such as health centers. Refers children to shelters through its Higher Council for Childhood. (2)
Directorate of General Security	Focuses on immigration and border protection. Works with farmers union to address child labor in agriculture. (2)

According to local observers, the Ministry of Labor's hotline is not fully functional and works for a limited number of hours on official workdays. It does not have a system to register incoming calls. (27)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Lebanon took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Labor that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown (2)
Number of Labor Inspectors	45 (27)	Unknown
Inspectorate Authorized to Assess Penalties	No (68)	No (68,69)
Initial Training for New Labor Inspectors	Unknown	Unknown (2)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Yes (2)
Number of Labor Inspections Conducted	Unknown	Unknown (2)
Number Conducted at Worksite	Unknown	Unknown (2)
Number of Child Labor Violations Found	Unknown	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (2)
Routine Inspections Conducted	Unknown	Unknown (2)
Routine Inspections Targeted	Unknown	No (2)
Unannounced Inspections Permitted	Yes (69)	Yes (69)
Unannounced Inspections Conducted	Unknown	Unknown (2)
Complaint Mechanism Exists	Yes (18)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (18)	Yes (2)

In 2018, the Ministry of Labor and the Directorate of General Security held extensive training on issues, including child labor. However, based on available information, the Ministry did not cover the costs of equipment and transportation needed by labor inspectors to carry out their duties. (2) Child labor inspections are generally

a result of a complaint, particularly in the formal sector. However, based on available information, child labor is nearly non-existent in the formal sector. (2,18,70) Research could not identify the number of labor inspectors in 2018, but there were 45 labor inspectors in Lebanon in 2017. (2,27) The number of labor inspectors is likely insufficient for the size of Lebanon’s workforce, which includes over 2.1 million workers. (71) According to the ILO’s technical advice of 1 inspector for every 15,000 workers in developing economies, Lebanon would employ roughly 144 labor inspectors. (72,73)

The government does not publicly release information on its labor law enforcement efforts. (2)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Lebanon 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 the allocation of financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (18,74)	Yes (2)
Number of Investigations	Unknown	Unknown (2)
Number of Violations Found	5 (74,75)	Unknown (2)
Number of Prosecutions Initiated	Unknown	Unknown (2)
Number of Convictions	Unknown	Unknown (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (18)	Yes (2)

In 2018, the Internal Security Forces provided training to officers on investigative procedures and protection of at-risk children. It also provided initial training on countering human trafficking. (2) The Internal Security Forces, the Lebanese Armed Forces, and the Directorate of General Security received training on countering human trafficking. (76)

The government investigated 26 cases, but it is unknown how many of these were related to criminal violations of child labor laws. (2) The government also prosecuted cases of forced begging among Syrian children, but the number of prosecutions is unavailable because there is no centralized record system in the Ministry of Justice. (76)

The Ministry of Justice stated that a lack of sufficient human resources hindered the government’s ability to address child labor. (18) The Internal Security Forces stated they needed additional information technology equipment. (2)

The government does not publicly release information on its criminal law enforcement efforts. (2)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Raises awareness; coordinates efforts among government agencies; establishes standard practices; develops, enforces, and recommends changes; and ensures that government agencies comply with the law. Led by the Minister of Labor, includes representatives from six other ministries and other institutions and international organizations. (18) The Committee met once in 2018, but canceled a subsequent meeting due to the absence of a Minister of Labor. (2)

Lebanon

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
National Steering Committee on Trafficking in Persons	Coordinates efforts against human trafficking, including child trafficking. Based at the Ministry of Labor and meets on a monthly basis. (18) In 2018, the Committee met every month. (76)
UNICEF and UNHCR	Coordinate efforts to address the needs of children affected by the Syrian refugee crisis in Lebanon. Maintain interagency standards for child protection. The UN representatives identify crucial concerns, including factors that make children vulnerable to child labor. Make recommendations to the government on the use of resources, including referral services. (18) In 2018, UN agencies and international and local NGOs coordinated child protection efforts through Child Protection Working Groups. (2)

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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on the Elimination of the Worst Forms of Child Labor (2013–2019)	Establishes strategies for addressing child labor, including improving enforcement of child labor laws and expanding access to education. (43,77) In 2018, the President, working with the ILO and the NGO Beyond, established the National Choir Against Child Labor, made up of 180 children who have previously been engaged in child labor. The children's choir is meant to empower children, encourage them to stay in school, and advocate against child labor. (2,78)
Work Plan to Prevent and Respond to the Association of Children with Armed Violence in Lebanon	Provides the policy framework for the prevention of children's involvement in armed conflict. (53) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period. However, based on available information, approximately 40 children were kept in detention centers for previous activities related to armed conflict. (2)
Policy for the Protection of Students in the School Environment†	Protects children's right to education and promotes non-violence in schools by establishing mechanisms to receive complaints of violence, mistreatment, and bullying and addresses those cases while safeguarding children's privacy. Trains school staff and officials on identifying risk factors. (79,80) In 2018, the Ministry of Education and Higher Education, in cooperation with UNICEF, trained 55 Ministry employees and 600 points-of-contact in 300 schools on their roles in the implementation of this policy. (79)

† Policy was approved during the reporting period.

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 adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Protection Program	Joint program by UNICEF and the Ministry of Social Affairs. Addresses child labor through interventions, including psychological counseling; raising awareness among employer; and working with employers to decrease working hours for children and improve working conditions. (81) In 2018, UNICEF worked with government agencies and civil society organizations to provide case management and psychosocial support to children, including children working on the streets. The Ministry of Social Affairs, along with civil society organizations and UNICEF, launched a child protection information management system and a free electronic training course intended to educate frontline social workers on child protection and case management issues. (2,79) UNICEF also worked with partners in the city of Tripoli to ensure that vulnerable children received services such as conditional cash transfer and income-generating activities for their parents. (2)
Country Level Engagement and Assistance to Reduce Child Labor (CLEAR)	USDOL-funded capacity-building project implemented by the ILO. Aims to improve enforcement of child labor laws and policies in Lebanon. (34) In 2018, the Ministry of Labor worked with the ILO to hold a national workshop to train labor inspectors and other government officials on Decree No. 8987 on hazardous child labor. Engaging with key national and international stakeholders, the project helped revise the National Action Plan on the Elimination of the Worst Forms of Child Labor to include Syrian children. (34) The revised National Action Plan was pending adoption due to the lack of a Minister of Labor. The project, working with the NGO Beyond, trained 300 children on how to advocate against child labor among their peers and raise awareness in the community about the negative consequences of child labor. (34) For additional information, please see the USDOL website.

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Reaching All Children through Education (RACE II) (2017–2021)	Donor-funded 5-year project, implemented by the Ministry of Education and Higher Education and partners to ensure quality education opportunities for children ages 3 to 18, regardless of nationality, through holistic interventions that address the demand and availability of quality public education, including non-formal education. (82) In 2018, the program covered school fees and provided remedial and homework support activities for Lebanese and non-Lebanese children. (2)
National Poverty Alleviation Program†	Funded by the government and foreign donors, this Ministry of Social Affairs program pays school tuition and book costs for 74,000 families living in extreme poverty. (41) Research was unable to determine what steps were taken in 2018 in the implementation of this program.

† Program is funded by the Government of Lebanon.

In 2018, Lebanon adopted a new regulation to allow Syrian refugee children, who turn ages 15 to 18 after entering Lebanon, to obtain residency by presenting their Syrian individual status record instead of a passport or national identity card. This regulation enables access to education for these children. (83)

The scarcity of shelters for child trafficking victims results in some children being placed in juvenile detention centers. (57) The lack of shelters and resources to handle child labor and human trafficking cases puts children at a heightened risk of further exploitation. (33) Although Lebanon has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including in forced child labor in agriculture and construction.

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 Lebanon (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the CRC Optional Protocol on Armed Conflict, which the government signed in 2002.	2013 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
	Ensure that forced labor and debt bondage are criminally prohibited.	2015 – 2018
Enforcement	Ensure that there is an adequate mechanism to receive and log child labor complaints and refer them for investigation.	2017 – 2018
	Track and publish information on labor law enforcement, including the number of labor inspectors and inspections.	2009 – 2018
	Authorize the labor inspectorate to assess penalties.	2015 – 2018
	Provide Ministry of Labor inspectors with proper funding and necessary transportation, and ensure that they are able to conduct labor inspections in areas where child labor is prevalent, including the informal sector.	2011 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2018
	Publish information on criminal enforcement of child labor laws.	2009 – 2018
	Ensure that criminal law enforcement agencies have necessary funding, human resources, and equipment to investigate and prosecute criminal cases of child labor, in accordance with the law.	2017 – 2018
Government Policies	Ensure that the Work Plan to Prevent and Respond to the Association of Children with Armed Violence in Lebanon is implemented, and that children previously associated with armed conflict receive social and rehabilitation services rather than being detained.	2017 – 2018
Social Programs	Build on current efforts to improve access to public education for all children.	2010 – 2018
	Ensure that the National Poverty Alleviation Program is implemented.	2017 – 2018
	Increase the number of shelters for child victims of human trafficking and other forms of child labor.	2013 – 2018
	Expand programs to fully address the extent of child labor.	2013 – 2018

MODERATE ADVANCEMENT

REFERENCES

- 1 Humanitarian Organization official. Interview with USDOL official. January 13, 2016.
- 2 U.S. Embassy- Beirut. Reporting. January 17, 2019.
- 3 Plan International. Adolescent Girls and Boys Needs Assessment: Focus on Child Labour and Child Marriage. July 18, 2018. <https://plan-international.org/publications/girls-and-boys-needs-assessment-lebanon>.
- 4 U.S. Department of State. Trafficking in Persons Report- 2018: Lebanon. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/lebanon/>.
- 5 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 6 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 7 FXB Center at Harvard. Running out of Time: Survival of Syrian Refugee Children in Lebanon. January 2014. http://fxb.harvard.edu/wp-content/uploads/sites/5/2014/01/FXB-Center-Syrian-Refugees-in-Lebanon_Released-01-13-13.pdf.
- 8 Fisk, Robert. The 200,000 Syrian child refugees forced into slave labour in Lebanon. October 26, 2014. <http://www.independent.co.uk/voices/comment/robert-fisk-the-200000-syrian-child-refugees-forced-into-slave-labour-in-lebanon-9819622.html>.
- 9 Dominus, Susan. The Displaced: Hana. November 5, 2015. <http://www.nytimes.com/2015/11/08/magazine/the-displaced-hana.html>.
- 10 Freedom Fund. Struggling to survive: Slavery and exploitation of Syrian refugees in Lebanon. April 6, 2016. <http://freedomfund.org/wp-content/uploads/Lebanon-Report-FINAL-8April16.pdf>.
- 11 Weber, Jeremy. Grapes of Wrath: In Lebanon's Napa Valley, Syrian Refugees Face a Steinbeck Scenario. September 2016. <http://www.christianitytoday.com/ct/2016/sepember/grapes-of-wrath-syrian-refugees-lebanon-bekaa-valley.html>.
- 12 Food and Agriculture Organization of the United Nations. Child labour in agriculture is on the rise, driven by conflict and disasters. Rome. June 12, 2018. <http://www.fao.org/news/story/en/item/1140078/icode/>.
- 13 Sherriff, Lucy and Dawn Kelly. The Necessary Evil Of Syrian Child Labour In Lebanon. May 5, 2017. https://www.huffingtonpost.co.uk/entry/the-necessary-evil-of-syrian-child-labour-in-lebanon_uk_590c80c7e4b0d5d9049bbec3?guccounter=2.
- 14 Cochrane, Paul. Refugee crisis: Child Labour in agriculture on the rise in Lebanon. July 12, 2016. http://www.ilo.org/beirut/media-centre/fs/WCMS_496725/lang--en/index.htm.
- 15 Gilbert, Ben. Syrian refugee children forced to work to support families in Lebanon. February 22, 2014. <http://america.aljazeera.com/articles/2014/2/22/syrian-refugee-children-forced-to-work-to-support-families-in-lebanon.html>.
- 16 Human Rights Watch. "Growing Up Without an Education" Barriers to Education for Syrian Refugee Children in Lebanon. July 2016. https://www.hrw.org/sites/default/files/report_pdf/lebanon0716web_1.pdf.
- 17 Terre des Hommes. Child Labour Report 2016: Child Labour among Refugees of the Syrian Conflict. June 2016. http://reliefweb.int/sites/reliefweb.int/files/resources/TDH-Child-Labour_Report-2016-ENGLISH_FINAL_0.pdf.
- 18 U.S. Embassy- Beirut. Reporting. January 19, 2018.
- 19 Newton, Jennifer. The child refugees forced to rise at 3am to carry out back-breaking work after leaving Syria: Boys as young as eight who become 'the man of the family' after fleeing war. June 7, 2016. <http://www.dailymail.co.uk/news/article-3629020/The-child-refugees-forced-rise-3am-carry-breaking-work-leaving-Syria-Boys-young-eight-man-family-fleeing-war.html>.
- 20 International Centre for Migration Policy Development. Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons (A Study of Syria, Turkey, Lebanon, Jordan and Iraq). December 2015. http://www.icmpd.org/fileadmin/ICMPD-Website/Anti-Trafficking/Targeting_Vulnerabilities_EN_SOFT_.pdf.
- 21 UNICEF Lebanon. Mohamad, 15 - #ImagineaSchool. November 14, 2016. <https://www.youtube.com/watch?v=zmrq4TgfGBA>.
- 22 Khoury, Lisa. Special report: 180,000 young Syrian refugees are being forced into child labor in Lebanon. July 26, 2017. <https://www.vox.com/world/2017/7/24/15991466/syria-refugees-child-labor-lebanon>.
- 23 Giammarinaro, Maria Grazia. Report of the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children. UN General Assembly, August 5, 2016: A/71/303. <https://reliefweb.int/sites/reliefweb.int/files/resources/NI1625078.pdf>.
- 24 Human Rights Watch. "I Just Wanted to be Treated Like a Person" - How Lebanon's Residency Rules Facilitate Abuse of Syrian Refugees. January 2016. https://www.hrw.org/sites/default/files/report_pdf/lebanon0116web.pdf.
- 25 Caritas Lebanon Migrant Center. An Insight into Child Labor among Iraqi Refugees in Lebanon. February 26, 2014. <https://reliefweb.int/sites/reliefweb.int/files/resources/child-labor-among-iraqi-refugees-in-lebanon.pdf>.
- 26 ILO, UNICEF and Save the Children. Children Living and Working on the Streets in Lebanon: Profile and Magnitude. The Consultation and Research Institute, February 2015. http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_344799.pdf.
- 27 Alef official. Interview with USDOL official. January 9, 2018.
- 28 Chehayeb, Kareem. As Beirut's Trash Crisis Drags on, Children Recycle to Survive. November 1, 2018. <https://www.citylab.com/environment/2018/11/beirut-trash-refugee-children-recycle/574312/>.
- 29 Kansa, Heba. Poverty forces Syrian refugee children into work. June 12, 2018. <https://www.reuters.com/article/us-lebanon-child-labour/poverty-forces-syrian-refugee-children-into-work-idUSKBN1J82CY>.
- 30 UNICEF Lebanon. Israa, 11. May 18, 2016. <https://www.youtube.com/watch?v=mnSVOEY-QRo>.
- 31 Sleem, Aly. Cases: Child Labor in Lebanon. January 3, 2014. <https://www.youtube.com/watch?v=w2klFH3VIY0>.
- 32 The Guardian. Syrian refugee children in Lebanon forced to seek work - in pictures. June 12, 2014. <http://www.theguardian.com/global-development/2014/jun/12/sp-syrian-refugee-children-in-lebanon-forced-to-seek-work-in-pictures>.
- 33 U.S. Embassy- Beirut. Reporting. February 29, 2016.
- 34 ILO. Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) - Technical Progress Report. October 2018. Source on file.
- 35 Peyroux, Olivier. Trafficking in Human Beings in Conflict and Post-Conflict Situation. Progress Report. June 2015. <http://www.caritas.org/wp-content/uploads/2015/11/CoatnetParis15Report.pdf>.
- 36 Raymond, Janice G. Pity the Nations: Women Refugees in Lebanon. December 6, 2017. <https://www.truthdig.com/articles/pity-nations-female-refugees-lebanon/>

- 37 U.S. Department of State. Trafficking in Persons Report: Lebanon. Washington, DC. June 20, 2019.
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/lebanon/>.
- 38 UN General Assembly. Children and Armed Conflict: Report of the Secretary-General. A/73/907-S/2019/509. June 20, 2019.
https://www.un.org/ga/search/view_doc.asp?symbol=S/2019/509&Lang=E&Area=UNDOC.
- 39 ILO. ILO and Ministry of Labour launch tools to boost fight against child labour in Lebanon. January 15, 2016.
http://www.ilo.org/beirut/media-centre/news/WCMS_443535/lang--en/index.htm.
- 40 UNHCR. Syria Regional Refugee Response: Lebanon. December 31, 2018.
<https://data2.unhcr.org/en/situations/syria/location/71>.
- 41 U.S. Embassy- Beirut. Reporting. February 4, 2016.
- 42 Chynoweth, Dr. Sarah. We Keep it in Our Heart: Sexual Violence against Men and Boys in the Syria Crisis. UNHRC, October 2017.
https://data2.unhcr.org/es/documents/download/60864#_ga=2.94088981.900380568.1512674280-1884466359.1507823747.
- 43 U.S. Embassy- Beirut. Reporting. February 9, 2017.
- 44 CARE. Syrian Refugees in Lebanon Eight Years On: What Works and Why that Matters for the Future November 12, 2018.
https://www.care-international.org/files/files/CAREInternationalLebanon_RefugeesinLebanon_Whatworksandwhythatmattersforthefuture.pdf.
- 45 World Vision. Impact of Multi-Purpose Cash Assistance on Child Labour among Syrian Refugee Children in Bekaa, Lebanon. November 28, 2018.
<https://www.wvi.org/lebanon/publication/impact-multi-purpose-cash-assistance-child-labour-among-syrian-refugee-children>.
- 46 UNHCR. 2014 Syria Regional Response Plan: Lebanon. 2014.
<http://www.unhcr.org/syriarrp6/docs/syria-rrp6-lebanon-response-plan.pdf>.
- 47 Norwegian Refugee Council. A Future in the Balance: Lebanon. April 2016.
<https://www.nrc.no/globalassets/pdf/reports/a-future-in-the-balance-lebanon.pdf>.
- 48 Human Rights Watch. Lebanon: Stalled Effort to Get Syrian Children in School. December 13, 2018.
<https://www.hrw.org/news/2018/12/13/lebanon-stalled-effort-get-syrian-children-school>.
- 49 Alef - Act for Human Rights. Right to a Future: Threats to Material Safety. 2017.
https://alefliban.org/wp-content/uploads/2018/02/Material-Safety_v02_web.pdf.
- 50 American Institutes for Research. Evaluation of No Lost Generation/“Min Ila,” a UNICEF and WFP Cash Transfer Program for Displaced Syrian Children in Lebanon. June 2018.
<https://www.air.org/sites/default/files/downloads/report/Evaluation-of-No-Lost-Generation-Min-Ila-Final-Report-July-2018.pdf>.
- 51 UNHCR and Reach. Barriers to Education for Syrian Refugee Children in Lebanon: Out of School Children Profiling Report. November 2014.
https://www.ecoi.net/file_upload/1930_1416914829_reach-lbn-report-syriacrisis-outofschoolchildrenprofiling-nov2014.pdf.
- 52 UN Security Council. Report of the Secretary-General on Children and armed conflict. June 5, 2015: A/69/926 – S/2015/409.
http://www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/s_2015_409.pdf.
- 53 UN Security Council. Report of the Secretary-General on Children and Armed Conflict. April 20, 2016: A/70/836–S/2016/360.
http://www.un.org/ga/search/view_doc.asp?symbol=s/2016/360.
- 54 Human Rights Watch. Submission to the Committee on the Rights of the Child in advance of its review of Lebanon. March 24, 2017.
[http://tbinternet.ohchr.org/Treaties/CRC/Shared Documents/LBN/INT_CRC_NGO_LBN_27105_E.pdf](http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/LBN/INT_CRC_NGO_LBN_27105_E.pdf).
- 55 Caritas Lebanon Migrant Center. Left Behind: A Needs Assessment of Iraqi Refugees Present in Lebanon. October 21, 2014.
<http://english.caritasmigrant.org.lb/wp-content/uploads/2014/10/Left-Behind-Full.pdf>.
- 56 Government of Lebanon. National Action Plan to Eliminate the Worst Forms of Child Labour in Lebanon by 2016. 2013: Executive Summary.
http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/genericdocument/wcms_229115.pdf.
- 57 U.S. Embassy- Beirut official. Email communication to USDOL official. May 11, 2015.
- 58 Government of Lebanon. Labor Code (as amended). Enacted: September 23, 1946.
<http://ahdath.justice.gov.lb/law-nearby-work.htm>.
- 59 Government of Lebanon. Decree No. 8987 of 2012 concerning the prohibition of employment of minors under the age of 18 in works that may harm their health, safety or morals. Enacted: October 4, 2012.
http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=LBN&p_classification=04&p_origin=SUBJECT&p_whatsnew=201304.
- 60 Government of Lebanon. Decree No. 3855 on Lebanon’s accession to the International Covenant on Civil and Political Rights. Enacted: September 1, 1972. Enacted: March 1, 1943.
<http://youneslawfirm.com.lb/Default.asp?ContentID=21&menuID=10>
- 61 Government of Lebanon. Legislative Decree No. 340 on the Penal Code (as amended). Enacted: March 1, 1943. Source on file.
- 62 Government of Lebanon. Legislative Decree No. 102 on the National Defense Law (as amended). Enacted: September 16, 1983.
<http://www.mod.gov.lb/Cultures/ar-LB/Programs/Laws/Pages/armyihityat6.aspx>.
- 63 Government of Lebanon. Law No. 150 on Terms of appointment in the Ministry of Education and Higher Education. Enacted: August 17, 2011.
<https://site.eastlaws.com/GeneralSearch/Home/ArticlesTDetails?MasterID=1637110&related>.
- 64 Government of Lebanon. Law No. 665. Enacted: February 4, 2005.
<http://www.lebarmy.gov.lb/en/content/military-service>.
- 65 ILO Committee of Experts. Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Lebanon (ratification: 1977). Published: 2016.
http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3251395.
- 66 Government of Lebanon. Law No. 422 on the Protection of Delinquent and At-Risk Juveniles. Enacted: June 6, 2002.
http://bba.org.lb/content/uploads/Institute/141211103338689~loi_422_delinquent_arabe.pdf.
- 67 U.S. Embassy- Beirut official. Email communication to USDOL official. June 1, 2016.
- 68 ILO. Labour inspection in Arab states: progress and challenges. December 5, 2014.
http://www.ilo.org/beirut/publications/WCMS_325618/lang--en/index.htm.
- 69 Government of Lebanon. Decree No. 3273 on Labour Inspection. Enacted: 2000.
<http://www.ilo.org/dyn/natlex/docs/SERIAL/58763/45932/F1688904235/LBN58763.PDF>.
- 70 U.S. Embassy- Beirut official. Email communication to USDOL official. June 1, 2018.
- 71 CIA. The World Factbook. Accessed March 5, 2018. . Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
<https://www.cia.gov/library/publications/the-world-factbook/geos/le.html>.
- 72 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy, November 2006. GB.297/ESP/3. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.

Lebanon

MODERATE ADVANCEMENT

- 73 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York: 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 74 U.S. Embassy- Beirut. Reporting. May 26, 2017.
- 75 Valley News. Lebanon Police Say N.H. Man Sought Sex With Underage Girl. August 1, 2017. <http://www.vnews.com/Man-Charged-With-Trafficking-Lebanon-NH-11617074>.
- 76 U.S. Embassy- Beirut. Reporting. March 4, 2019.
- 77 National Steering Committee on Child Labor, the Ministry of Labor, and the ILO. National Awareness Raising Strategy on the Worst Forms of Child Labour in Lebanon. 2016. http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_443268.pdf.
- 78 ILO. Lebanon's President launches National Choir against Child Labour. March 20, 2018. https://www.ilo.org/beirut/media-centre/news/WCMS_622424/lang-en/index.htm.
- 79 UNICEF. Syria Crisis 2018 Humanitarian Results. Year End Report. December 31, 2018. [https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF Syria Crisis Situation Report_Year End 2018.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Syria%20Crisis%20Situation%20Report_Year%20End%202018.pdf).
- 80 Trtrian, Gasia. Education Ministry policy combats violence in schools. May 12, 2018. <http://www.dailystar.com.lb/News/Lebanon-News/2018/May-12/449078-education-ministry-policy-combats-violence-in-schools.ashx>.
- 81 U.S. Embassy- Beirut. Reporting. February 11, 2015.
- 82 Ministry of Education and Higher Education. Reaching All Children with Education: RACE II (2017-2021). August 2016. [http://www.mehe.gov.lb/uploads/file/2016/Oct/RACE II_FINAL Narrative_29AUG2016.pdf](http://www.mehe.gov.lb/uploads/file/2016/Oct/RACE%20II_FINAL%20Narrative_29AUG2016.pdf).
- 83 Human Rights Watch. Lebanon: Positive Step for Refugee Children. April 17, 2018. <https://www.hrw.org/news/2018/04/17/lebanon-positive-step-refugee-children>.

In 2018, Lesotho made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor and Employment assigned labor inspectors to operate a Child Labor Desk within the ministry, and provided recommendations that supported the expansion of inspections into the informal sector. However, children in Lesotho continue to engage in the worst forms of child labor, including in animal herding, domestic work, and commercial sexual exploitation, each sometimes as a result of human trafficking. Lesotho's compulsory education age is below the minimum age for work, leaving children in between these ages vulnerable to child labor. The government lacks sufficient mechanisms to combat child labor, and labor inspections are not conducted in high-risk sectors, including the informal sector.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Lesotho engage in the worst forms of child labor, including in animal herding, domestic work, and commercial sexual exploitation, each sometimes as a result of human trafficking. (1,2) Table 1 provides key indicators on children's work and education in Lesotho. 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	28.1 (124,632)
Attending School (%)	5 to 14	80.7
Combining Work and School (%)	7 to 14	25.3
Primary Completion Rate (%)		78.9

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2018. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 2, 2000. (4)

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	Herding animals, including cattle† (1,2)
	Farming, including planting, applying pesticides, and harvesting (5-9)
Services	Domestic work (1,2,10)
	Street work, including vending, and trading (5,8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, domestic work, and animal herding, each sometimes as a result of human trafficking (1,2)
	Use in illicit activities, including burglary and theft (5,6)

† 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.

Lesotho is a source, transit, and destination country for human trafficking. Children in Lesotho are subjected to commercial sexual exploitation and forced to work as domestic workers and animal herders, each sometimes as a result of human trafficking. Children involved in animal herding are exposed to harsh weather conditions, sometimes leading to death. (1,2,6) Children, especially orphans, sometimes voluntarily travel to South Africa for

Lesotho

MODERATE ADVANCEMENT

domestic work, and upon arrival are subsequently detained in prison-like conditions and sexually exploited. (1,6) During the reporting period, one case of child trafficking was reported. (1)

The government has published no data on the prevalence of child labor, including its worst forms. Statistics from a Multiple Indicator Cluster Survey and Labor Force Survey (including a child labor module) are scheduled for release in 2019. (1,5)

The Lesotho Population-based HIV Impact Assessment reported in 2017 that the HIV rate in adults (ages 15–59) was 25.6 percent, the second-highest HIV rate in adults worldwide. (5,11) Many children in Lesotho become orphans due to the high rate of HIV among adults and are vulnerable to trafficking. (1,2,9,12-14) Children, mostly orphans driven by poverty, migrate from rural to urban areas to engage in commercial sexual exploitation. (9)

Many children face limited access to education due to a shortage of teachers and schools, causing them to travel long distances. In Lesotho, primary education is free; however, secondary education incurs a fee that is cost prohibitive for many families. (1) Children with disabilities encounter difficulties with ill-equipped educational facilities and untrained teachers. (15) These factors increase a child’s vulnerability to the worst forms of child labor, such as human trafficking.

UNICEF reported a 45 percent rate in birth registrations. NGOs confirmed that the low number of birth registrations results in children becoming stateless. (16,17) In 2018, the Ministry of Home Affairs deployed officers at various hospitals and clinics to register births and partnered with UNICEF to register births at select schools. During the reporting period, the number of registered children from 0 to 15 years went from 53,377 in 2017 to 62,736 in 2018. (1)

II. Legal Framework for Child Labor

Lesotho 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 Lesotho’s legal framework to adequately protect children from the worst forms of child labor, including with regard to the compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 124(1) of the Labour Code; Article 228(1) of the Children’s Protection and Welfare Act (18,19)
Minimum Age for Hazardous Work	Yes	18	Article 125(1) of the Labour Code; Article 230(1) of the Children’s Protection and Welfare Act (18,19)

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

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 230(3) and 231 of the Children's Protection and Welfare Act (18)
Prohibition of Forced Labor	Yes		Article 9(2) of the Constitution; Article 7(1) of the Labour Code; Article 5 of the Anti-Trafficking in Persons Act (19-21)
Prohibition of Child Trafficking	Yes		Article 5 of the Anti-Trafficking in Persons Act (21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 77 of the Children's Protection and Welfare Act; Articles 10–14 of the Sexual Offenses Act (18,22)
Prohibition of Using Children in Illicit Activities	Yes		Article 45(b) of the Children's Protection and Welfare Act (18)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 26 of the Lesotho Defence Force Act (23)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 22(o) of the Children's Protection and Welfare Act (18)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 22(o) of the Children's Protection and Welfare Act (18)
Compulsory Education Age	No	13‡	Article 3 of the Education Act (24)
Free Public Education	Yes		Article 3 of the Education Act; Article 22(k) of the Children's Protection and Welfare Act (18,24)

* No conscription (18)

‡ Age calculated based on available information (24)

Education is compulsory in Lesotho through age 13, which makes children age 14 particularly vulnerable to child labor because they are not required to be in school and have not reached the minimum age for work. (12,19)

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 these mechanisms 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 Employment (MOLE)	Enforces minimum age requirements under child labor laws, including for hazardous occupations. Assesses compliance with child labor laws as part of general labor inspections. (25,26)
National Police, Child and Gender Protection Unit (CGPU)	Investigates criminal child labor violations and works in conjunction with MOLE to enforce child labor laws, including those related to hazardous and forced child labor, commercial sexual exploitation, and child trafficking. (25,27)
Public Prosecutor's Office	Prosecutes child labor law offenders. (25)
Children's Court	Enforces criminal laws related to the worst forms of child labor. (25)

In 2018, the Ministry of Labor and Employment (MOLE) updated the Lesotho Labor Code pending validation. (1) The draft labor code includes a minimum age for labor of 15 and strengthens provisions to combat the worst forms of child labor. The Ministry for Social Development submitted drafting instructions to the Parliamentary Council for amendment of the Children's Protection and Welfare Act of 2011. (1) These recommendations supported the authorization of the labor inspectorate to conduct inspections in the informal sector; however, at this time it has not been implemented. (5)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Lesotho took actions to combat child labor (Table 6). However, gaps exist within the operations of MOLE that may hinder adequate labor law enforcement, including insufficient resource allocation.

MODERATE ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (5)	\$4,331 (1)
Number of Labor Inspectors	34 (5)	37(1)
Inspectorate Authorized to Assess Penalties	Yes (5)	No (1)
Initial Training for New Labor Inspectors	Yes (5)	Yes (1)
Training on New Laws Related to Child Labor	Yes (5)	Yes (1)
Refresher Courses Provided	Yes (5)	Yes (1)
Number of Labor Inspections Conducted	1,060† (5)	833‡ (1)
Number Conducted at Worksite	1,060† (5)	833‡ (1)
Number of Child Labor Violations Found	3 (5)	1 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (5)	0 (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (5)	N/A (1)
Routine Inspections Conducted	Yes (5)	Yes (1)
Routine Inspections Targeted	No (5)	Yes (1)
Unannounced Inspections Permitted	Yes (5)	Yes (1)
Unannounced Inspections Conducted	Yes (5)	Yes (1)
Complaint Mechanism Exists	Yes (5)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (1)

† Data are from April 1, 2017 to March 31, 2018.

‡ Data are from April 1, 2018 to November 1, 2018.

In 2018, labor law enforcement agencies in Lesotho participated in trainings and workshops to combat child labor. Two labor inspectors were assigned to the Child Labor Desk within MOLE and held awareness-raising campaigns in four districts in Lesotho on the causes of child labor and prevention measures. (1) Reports indicate that funding is inadequate for the labor inspectorate to carry out investigations. (12,28)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Lesotho 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 coordination of efforts to address child labor, jurisdictional challenges within courtrooms, limited funding and personnel, and a complicated network of stakeholders. (2)

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (5)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	No (5)	No (1)
Refresher Courses Provided	No (5)	No (1)
Number of Investigations	0 (5)	0 (1)
Number of Violations Found	0 (5)	0 (1)
Number of Prosecutions Initiated	0 (5)	0 (1)
Number of Convictions	0 (5)	0 (1)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (1)

The National Police's CGPU does not have guaranteed funding; rather, it receives funding from the general operation budget of the National Police. Reports indicate that the CGPU receives insufficient or no funding to carry out child labor investigations. (8,12,25) There is also no evidence of any funding for combating child labor being provided to Public Prosecutor's Office, or the Children's Court. (1)

In 2018, 69 immigration and police officers received training on integrated border management and counter-trafficking through the Government of Japan's Border Security and Management Project. (1) In addition, 585

community members and 6,444 students at border towns in Mafeteng and Qacha's Nek also received training on counter-trafficking. (1)

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 efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Program Advisory Committee on Child Labor (PACC)/National Task Team	Led by MOLE's Child Labor Unit, the team includes representatives from government ministries, trade unions, NGOs, and international organizations. (25) In 2018, PACC convened four times to develop a new Action Plan on the Elimination of Child Labor. (1)
National Orphans and Vulnerable Children Coordinating Committee (NOCC)*	Strengthens coordination on issues related to orphans and vulnerable children at the national level. In 2018, the Committee conducted quarterly meetings. (1)
Multi-Sectoral Committee on Combating Trafficking in Persons	Spearheads anti-trafficking in persons initiatives and approves legislation and policies to prevent human trafficking. Chaired by the Commissioner of Refugees, includes government ministries; local government members; and representatives from NGOs, international organizations, and faith-based organizations. (29) In 2018, the committee participated in the development of the National Development Strategic Plan II that includes goals for addressing child labor and social factors that make children vulnerable. (1,30)
District Child Protection Teams	Coordinates child protection matters, including child labor, at the district level. Led by the Ministry of Social Development, include representatives from the government, private sector, NGOs, and community support groups. (25) In 2018, District Child Protection Teams met and held training sessions. The teams also referred cases of child labor and child trafficking to authorities. (31)
Community Coordination Teams*	Monitors, addresses, and refers instances of at-risk children or those involved in hazardous work. (1) Research was unable to determine whether Community Coordination Teams were active in 2018.

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2018, the Bureau of Statistics worked on finalizing a Multiple Cluster Survey and Labor Force Survey, which includes a child labor module. MOLE, Ministry of Social Development, and NGOs held a knowledge-sharing workshop to educate key stakeholders on child labor. (1)

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 implementing a new national child labor action plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Anti-Trafficking in Persons Strategic Framework and Action Plan (2013–2018)	Supported the national and international obligations and commitments regarding human trafficking, in support of the vision to eliminate all forms of trafficking in persons in Lesotho. Provided victim protection, successful arrests and prosecutions of offenders, and preventive measures. (32) In 2018, the office of the Commissioner of Refugees held sensitization sessions with villages near the border posts in Qacha's Nek and Mafeteng districts. (1) In addition, two billboards were erected at border crossings to raise awareness on the signs of human trafficking, and informational pamphlets were printed in Sesotho and distributed. (1,2)
National Strategic Plan on Vulnerable Children (2012–2018)	Safeguarded the rights of orphans and vulnerable children to an education, promoted access to apprenticeships and vocational and life skills programs for orphans and vulnerable children, and implemented child labor prevention programs. (34,35) Research could not determine whether activities were undertaken for this program during the reporting period.
Lesotho UNDP (2013–2018)	Included actions to build the capacity of the government, social partners, and civil society to eliminate child labor. Promoted education for children, supported youth employment, and built the government's capacity to provide social welfare services to vulnerable children. (36) In 2018, UNDP assisted the Bureau of Statistics in increasing its data collection capacity, including gathering data for the development of a Labor Survey that incorporates a child labor module. (1)

MODERATE ADVANCEMENT

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
Kingdom of Lesotho: Poverty Reduction Strategy Paper—National Strategic Development Plan (2012/2013–2016/2017)	Identified child protection services (CGPU, social welfare, health, and the justice system) and their capacity to respond adequately to cases of violence, abuse, and exploitation of children, including child labor. Outlined prevention measures. (1,37) In 2018, communities engaged in child labor awareness and established two radio programs on child labor protection and prevention measures. District teams attended four meetings. (1)

Although the government released a draft labor policy in 2018 that proposed harmonizing existing legislation with international labor standards regarding child labor, the Cabinet has yet to approve the policy. (1,5) The government made some progress toward drafting a new National Action Plan for the Elimination of Child Labor, replacing the previous policy that expired in 2017, by convening the Program Advisory Committee on Child Labor. (1) However, the government has not included child labor elimination and prevention strategies in existing policies, such as the Education Sector Strategic Plan. (38)

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 fully address the scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Orphans and Vulnerable Children (OVS) Scholarship Program†	Government program that pays for tuition, uniforms, supplies, and boarding fees for orphans and vulnerable children. (1) In 2018, the government increased its budget for OVC Scholarship program to \$5 million and increased the number of vulnerable children provided with tuition fees, uniforms, and stationery to 23,304 children. (1,31)
School Feeding Program†	Incentivizes primary school children from impoverished backgrounds to attend school and improves retention. Approximately 389,000 children received a daily meal at school in 2017 and 2018. (1,39)
Child Grant Program† (CGP)	Provides social cash transfers to impoverished households and orphans and vulnerable children with the aim of increasing access to basic needs such as food, health, and education. The program is implemented by the Ministry of Social Development and funded by the EU. UNICEF provides technical support. (1,39) During the reporting period, approximately 27,000 vulnerable families and 80,000 children received support. (1,39)

† Program is funded by the Government of Lesotho.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (32)

In 2018, the government increased budget allocations for social protection programs that included the School Feeding Program, Orphans and Vulnerable Children Scholarship Program, and the Child Grant Program. (1,39) However, the scope of social programs that focus on child labor is insufficient to fully address the extent of the problem, especially concerning child labor in cattle herding, domestic work, and commercial sexual exploitation of children.

The government continued to incorporate human trafficking lessons in the primary school curriculum (Standard 7). (8,40)

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 Lesotho (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish 15 as the age up to which education is compulsory to match the minimum age for full-time work.	2010 – 2018
Enforcement	Provide adequate funding and training for labor inspectors and criminal investigators to address the worst forms of child labor.	2009 – 2018
	Ensure that labor inspections are conducted in all relevant sectors, including the informal sector.	2014 – 2018
	Ensure that the labor inspectorate is authorized to assess penalties.	2009-2018
Coordination	Ensure that the Community Coordination Teams are active and undertaking activities in support of their missions.	2018
Government Policies	Publish data on the prevalence of child labor, including its worst forms.	2018
	Ensure that there is a policy for the elimination of child labor to replace the expired National Action Plan for the Elimination of Child Labor.	2018
	Integrate child labor elimination and prevention strategies in existing youth policies, such as the Education Sector Strategic Plan.	2012 – 2018
	Publish information about the implementation of child labor-related policies.	2017 – 2018
Social Programs	Institute programs that address push factors that promote child labor, including the high HIV rate in adults.	2017 – 2018
	Ensure that children with disabilities have equal access to education.	2018
	Address educational and logistical gaps resulting in reduced opportunities for secondary education, including shortage of teachers, secondary school fees, and barriers for children with disabilities.	2018
	Increase birth registrations of children to reduce their vulnerability to the worst forms of child labor.	2017 – 2018
	Expand existing programs to address the scope of the child labor problem.	2015 – 2018

REFERENCES

- U.S. Embassy- Maseru. Reporting. February 8, 2019.
- U.S. Embassy- Maseru. Reporting. March 1, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2018. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics From National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 2, 2000. Analysis received January 12, 2018. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Maseru. Reporting. January 8, 2018.
- U.S. Department of State. Trafficking in Persons Report: Lesotho. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/lesotho/>.
- U.S. Department of State official. Email communication to USDOL official. May 20, 2014.
- U.S. Embassy- Maseru. Reporting. May 3, 2018.
- Government of Lesotho and ILO. Lesotho Decent Work Country Programme, Phase II: 2012 to 2017. Maseru. 2013. <http://www.ilo.org/public/english/bureau/program/dwcp/download/lesotho.pdf>.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Lesotho (ratification 2001) Published: 2014. Accessed January 27, 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3112797:NO.
- UNICEF. Agents of change: Children in Lesotho bring improved sanitation from classrooms to communities. September 27, 2017. https://www.unicef.org/infobycountry/lesotho_100943.html.
- U.S. Embassy- Maseru. Reporting. January 15, 2016.
- UNICEF. Eastern and Southern Africa, HIV and AIDS - Overview. Accessed February 17, 2017. http://www.unicef.org/esaro/5482_HIV_AIDS.html.
- UNDP. Lesotho National Human Development Report. Geneva. November 2015. http://hdr.undp.org/sites/default/files/final_lesotho_high_res_single_pages.pdf.
- Lesotho National Federation of Organisations of the Disabled. Disability in Lesotho. 2016. <http://www.infod.org.ls/disability-in-lesotho.html>.
- Citizenship Rights in Africa Initiative, Institute on Statelessness and Inclusion, and Lawyers for Human Rights. Civil Society Submission on the right of every child to acquire a nationality under Article 7 CRC. July 1, 2017. Source on file.
- UNICEF. UNICEF Data: Monitoring the Situation. Accessed May 31, 2018. <https://data.unicef.org/country/lso/>.
- Government of Lesotho. Children’s Protection and Welfare Act. Enacted: 2011. http://jafbase.fr/docAfrique/Lesotho/children_act_lesotho.pdf.
- Government of Lesotho. Labour Code Order, 1992, No. 24 of 1992. Enacted: 1992. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/31536/64865/E92LSO01.htm>.
- Government of Lesotho. The Constitution of Lesotho. Enacted: 1993. http://library2.parliament.go.th/giventake/content_cons/lesotho.pdf.
- Government of Lesotho. Anti-Trafficking in Persons Act, 2011. Enacted: January 11, 2011. https://www.unodc.org/res/cld/document/anti-trafficking-in-persons-act--2011_html/Lesotho_TIP_Act_2011.pdf.
- Government of Lesotho. Sexual Offences Act, 2003. Enacted: April 22, 2003. <https://www.lesotholii.org/ls/legislation/num-act/2003/3>.
- Government of Lesotho. Lesotho Defence Force Act 1996. Enacted: 1996. https://lesotholii.org/ls/legislation/act/1996/4/lesotho_defence_force_act_1996.pdf.

MODERATE ADVANCEMENT

- 24 Government of Lesotho. Education Act, 2010. Enacted: March 15, 2010. https://lesotholii.org/ls/legislation/act/2010/3/education_act_2010.pdf.
- 25 U.S. Embassy- Maseru. Reporting. January 7, 2014.
- 26 Government of Lesotho. Ministry of Labour and Employment Mission Statement. 2010. http://www.gov.ls/gov_webportal/ministries/labour_and_employment/labour.html.
- 27 UN Women. National Police, Child and Gender Protection Unit (CGPU) Description. 2002. <http://evaw-global-database.unwomen.org/en/countries/africa/lesotho/2002/child-and-gender-protection-unit>.
- 28 U.S. Embassy- Maseru. Reporting. January 13, 2017.
- 29 U.S. Embassy- Maseru. Reporting. February 14, 2014.
- 30 Government of Lesotho. National Strategic Development Plan, 2018/19-2022/23. 2018. Source on file.
- 31 U.S. Embassy- Maseru official. Email communication to USDOL official. July, 15, 2019.
- 32 U.S. Embassy- Maseru official. Email communication to USDOL official. April 15, 2015.
- 33 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Lesotho (ratification 2001) Published: 2016. Accessed October 27, 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3247834.
- 34 Government of Lesotho. National Policy on Orphans and Vulnerable Children. Department of Social Welfare, Ministry of Health and Social Welfare. 2007. http://www.africanchildforum.org/clr/policy_per_country/lesotho/lesotho_ovc_en.pdf.
- 35 Government of Lesotho. National Strategic Plan on Vulnerable Children (2012-2017). August 2012. http://www.gov.ls/gov_webportal/important_documents/national_strategic_plan_on_vulnerable_children_2012-2017/national_strategic_plan_on_vulnerable_children_2012-2017.pdf.
- 36 UN. Lesotho United Nations Development Assistance Plan (LUNDAP) 2013–2017. Maseru. December 14, 2012. [http://s.one.un.org/content/dam/unct/lesotho/docs/Key Strategic Documents/Lesotho_UNDAP-2013-2017_EN.pdf](http://s.one.un.org/content/dam/unct/lesotho/docs/Key%20Strategic%20Documents/Lesotho_UNDAP-2013-2017_EN.pdf).
- 37 Government of Lesotho. National Strategic Development Plan, 2012/13–2016/17. Maseru. May 2012. http://www.gov.ls/gov_webportal/important_documents/national_strategic_development_plan_201213-201617/national_strategic_development_plan_201213-201617.pdf.
- 38 Government of Lesotho. Education Sector Strategic Plan: 2005 to 2015. Maseru. March 2005. Source on file.
- 39 UNICEF. Lesotho Social Assistance Budget Brief. Maseru, Lesotho. 2017/18 FY. Source on file.
- 40 U.S. Embassy- Maseru. Reporting. November 13, 2015.

In 2018, Liberia made a minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government significantly increased the number of labor inspectors from 31 to 50. In addition, the Anti-Human Trafficking Task Force collaborated with international organizations, NGOs, and high-level officials to conduct a two-month long public awareness campaign around World Day Against Trafficking. However, children in Liberia engage in the worst forms of child labor, including in forced domestic work. Children also perform dangerous tasks in the production of rubber, and the mining of gold and diamonds. The Liberia National Police's Women and Children Protection Section and the National Commission on Child Labor continue to lack sufficient resources to conduct investigations and enforce child labor laws. The compulsory education age is also lower than the minimum age for work, making 15-year-old children vulnerable to the worst forms of child labor because they are not required to attend school while also not legally permitted to work until age 16. In addition, social programs are not sufficient to address the scope of the problem in the country, particularly where child labor is prevalent.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Liberia engage in the worst forms of child labor, including in forced domestic work. (1) Children also perform dangerous tasks in the production of rubber, and the mining of gold and diamonds. (2) Table 1 provides key indicators on children's work and education in Liberia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	16.6 (136,340)
Attending School (%)	5 to 14	75.9
Combining Work and School (%)	7 to 14	14.0
Primary Completion Rate (%)		59.0

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2019. (3)

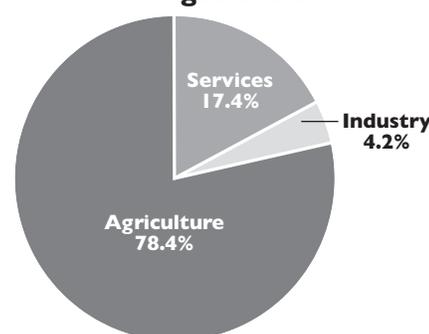
Source for all other data: International Labor Organization's analysis of statistics from Labor Force Survey, 2010. (4)

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 rubber, including cutting trees with machetes and using acid (1,2,5,6)
	Production of charcoal (2)
	Farming activities, including production of cocoa, coffee, cassava, and sugarcane (7,8)
Industry	Mining† diamonds and gold activities, including washing gravel and using mercury and cyanide (1,9,10)
	Cutting and crushing stone (2,5,6,11)
	Construction, including carrying heavy loads† (2,5,6)
Services	Domestic work (6)
	Street work, including vending, begging, hawking goods, and carrying heavy loads (5,6,12-14)

Figure 1. Working Children by Sector, Ages 5-14



MINIMAL ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including selling drugs (15)
	Forced labor in domestic work, street vending, mining, begging, and work on rubber plantations, each sometimes as a result of human trafficking (10, 1)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 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.

Liberian children are sometimes victims of human trafficking for commercial sexual exploitation, domestic work, forced begging; and of forced labor in street vending, alluvial diamond mining, artisanal gold mining, and in the production of rubber. Children are also transported from Liberia to Côte d’Ivoire, Guinea, Nigeria, and Sierra Leone. (1,5) Research found that there is a difference in child labor activities in rural communities compared to urban communities. Children in rural communities, like Margibi County, engage in rubber tapping and coal burning activities to a greater degree; children in cities and surrounding urban communities, particularly Monrovia and the communities in Montserrado County, crush rocks, work in homes, and sell goods. (11) The government has yet to collect comprehensive data on child labor activities to inform policies and social programs. (6)

Section 9 of the Children’s Law mandates free primary education from grades 1–9, but the cost of uniforms, transportation, books, and school supplies limits access to education for some children. For secondary school students (grades 10–12), reports indicate there is a shortage of teachers, insufficient learning materials, a lack of educational facilities, and inadequate transportation, all of which limit access to education. (6) Moreover, by coercing students with the promise of good grades, some teachers sexually exploit students, resulting in children avoiding or dropping out of school. (6,8,16) Reports also indicate the ongoing practice of sending boys and girls to initiation “bush schools” for rituals that traditionally were intended to transition a child into adulthood. Boys transition into what is referred to as the *Poro society* by undergoing rituals such as tattooing and circumcision. (18) The initiation of girls into the *Sande society* may include female genital mutilation and other rituals. This practice often interferes with official schooling and can lead to girls dropping out of school, early marriage, and teenage pregnancy. (6,18) Children removed from school to participate in initiation ceremonies are vulnerable to child labor since many do not return to school after the ceremonies. (18)

Liberian parents are required by law to register their infants within 14 days of birth. (19) Birth registration is technically required for parents to enroll their children in school. However, only 25 percent of children under age 5 have birth certificates. (20) Children who are not enrolled in school are more vulnerable to the worst forms of child labor.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Liberia has ratified some 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 Liberia's legal framework to adequately protect children from the worst forms of child labor, including the gap between the compulsory education age and minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Section 74 of the Labor Law (21)
Minimum Age for Hazardous Work	Yes	18	Article 7, Section 9.1 of the Children's Law (22)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 21.4 of the Decent Work Act (5,23)
Prohibition of Forced Labor	Yes		Article 12 of the Constitution; Article 2.2 of the Decent Work Act; Article 7, Section 8 of the Children's Law; Article 1, Section 5 of the Act to Ban Trafficking in Persons Within the Republic of Liberia (22-25)
Prohibition of Child Trafficking	Yes		Article 7, Section 8 of the Children's Law; Article 1, Section 5 of the Act to Ban Trafficking in Persons Within the Republic of Liberia (22,25)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 3, Section 21 of the Children's Law; Article 2.3 of the Decent Work Act; Article 1, Section 5 of the Act to Ban Trafficking in Persons Within the Republic of Liberia (22,23,25)
Prohibition of Using Children in Illicit Activities	Yes		Article 2.3 of the Decent Work Act; Chapter 16 of the Penal Law (23,26)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 3, Section 22 of the Children's Law (22)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 3, Section 22 of the Children's Law (22)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 3, Section 22 of the Children's Law (22)
Compulsory Education Age	No	15	Article 3, Section 9 of the Children's Law; Chapter 4 of the Education Reform Act (22,27)
Free Public Education	Yes		Article 3, Section 9 of the Children's Law (22)

* No conscription (28)

Children in Liberia are required to attend school only up to, but not including, age 15. This standard makes 15-year-old children vulnerable to the worst forms of child labor because they are not required to attend school, but they are not legally permitted to work until age 16. (22,27) Although Section 74 of the Labor Law prohibits employment of children under age 16, the penalty of a fine of less than \$1 for violations is insufficient to deter offenders. (21,29)

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, the exceptionally low number of worksite inspections conducted at the national level in Liberia impeded the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Conducts worksite inspections and addresses child labor violations. (5,7)
Ministry of Gender, Children and Social Protection (MOGCSP)	Assists the MOL with the investigation of child labor cases and acts as the lead advisory agency on policy formulation, coordination, and monitoring of child protection policies through its Children Protection and Development Division. Monitors the government's efforts on compliance with the Universal Declaration of Human Rights, the UN Convention on the Elimination of All Forms of Discrimination against Women, UN CRC, and the African Union protocols on women and children. (6,30)

Liberia

MINIMAL ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Liberia National Police (LNP) Women and Children Protection Section (WACPS)	Investigates human trafficking cases involving women and children under the guidance of the LNP. (31)
LNP Anti-Trafficking Unit	Ensures that human trafficking training is integrated into police orientation. Collaborates with the WACPS to investigate human trafficking cases. (32)
Bureau of Immigration and Naturalization	Enforces the Alien and Nationality Law of Liberia and protects the border from illegal entry of migrants. Aids in combating human trafficking by detecting fraudulent immigration documents. (7)
Liberian Transnational Crime Unit	Coordinates responses to international organized criminal activities, including monitoring and prosecuting criminal violations involving arms, human trafficking, and drug trafficking. (6)
Ministry of Justice (MOJ)	Promotes and executes the rule of law for public safety, including the prosecution of child labor perpetrators. (33)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Liberia took actions to enforce labor laws (Table 6). However, gaps continue to exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including the worst forms of child labor.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (6)	Unknown (10)
Number of Labor Inspectors	31 (6)	50 (10)
Inspectorate Authorized to Assess Penalties	No (6)	No (10)
Initial Training for New Labor Inspectors	N/A (6)	Yes (10)
Training on New Laws Related to Child Labor	Yes (6)	N/A
Refresher Courses Provided	Yes (34)	Yes (10)
Number of Labor Inspections Conducted	2 (6)	450 (10)
Number Conducted at Worksite	2 (6)	50 (10)
Number of Child Labor Violations Found	Unknown (6)	Unknown (10)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (6)	N/A (10)
Number of Child Labor Penalties Imposed that Were Collected	N/A (6)	N/A (10)
Routine Inspections Conducted	Yes (6)	Yes (10)
Routine Inspections Targeted	Yes (6)	Yes (10)
Unannounced Inspections Permitted	Yes (6)	Yes (10)
Unannounced Inspections Conducted	Yes (6)	Yes (10)
Complaint Mechanism Exists	Yes (6)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (10)

The MOL's collective budget for fiscal years 2017 and 2018 is \$1.7 million, but the amount of funding dedicated to the labor inspectorate remains unknown. (35) Research was unable to determine the cause for the significant increase in the reported number of inspections during the year. Generally, labor inspections are conducted in the formal sector instead of the informal sector, in which children are most likely to be found engaging in child labor. (2) In addition, the lack of funding and logistical support results in the underutilization of the labor inspectorate's complaint mechanism. (6,31)

In 2018, the MOL reported an increase from 31 to 50 in the number of labor inspectors. (10) Although inspectors cannot assess penalties, they can impose corrective measures such as issuing fines and notices of compliance, and filing a complaint with the hearing board. (6,31) The lack of penalty assessment authorization and limited funding hamper the inspectorate's enforcement of child labor laws. (2,6,36)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Liberia took actions to combat child labor (Table 7). However, gaps exist within the operations of the Liberia National Police (LNP) that may hinder adequate criminal law enforcement, including financial resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	N/A (6)	Unknown (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (6)	Unknown (10)
Refresher Courses Provided	Yes (6)	Yes (10)
Number of Investigations	Unknown (6)	Unknown (10)
Number of Violations Found	Unknown (6)	Unknown (10)
Number of Prosecutions Initiated	4 (37)	Unknown (10)
Number of Convictions	4 (37)	Unknown (10)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (10)

Although the government did not provide comprehensive data on the number of prosecutions or convictions, reports indicate a female accused of trafficking two Sierra Leoneans into Liberia with the intention of selling them into forced labor, including a child, was successfully prosecuted and convicted during the reporting period. The accused received a sentence of eight years imprisonment. (1,10,38)

The LNP reported limited funding to carry out its enforcement duties. (5) The LNP's Women and Children Protection Section also reported having limited resources to conduct investigations, including a lack of vehicles, fuel, sufficient training, finances, communications equipment, and investigative equipment. (5,39) In addition, data on the number of child endangerment cases prosecuted by the Ministry of Justice are not disaggregated for child labor violations. (2,5)

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 adequate coordination of efforts to address child labor, including financial support of the National Commission on Child Labor (NACOMAL).

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

Coordinating Body	Role & Description
National Commission on Child Labor (NACOMAL)	Coordinates government and civil society activities concerning child labor. Led by the MOL and comprising representatives from 16 organizations, including international and civil society organizations. (40) Assists in coordinating child labor investigations. (41) Seeks to reform national child labor laws and create a national child labor database, which would assist surveys on the extent of child labor issues in Liberia. (40) During the reporting period, NACOMAL held meetings with outside stakeholders on child labor, participated in steering committee meetings, and coordination with the trafficking in persons Secretariat on anti-human trafficking efforts. (42)
National Steering Committee on Child Labor	Implements child labor policies. Chaired by the MOL and comprising government officials and workers' organizations. (5) Includes four subcommittees on resource mobilization, advocacy, training and legal development, and monitoring and evaluation. The Steering Committee held approximately one meeting per quarter during the reporting period. (42)
Child Protection Network	Coordinates child protection efforts through monthly meetings to discuss child protection issues, including child labor and human trafficking. Chaired by the MOGCSF, comprising MOL, the Ministry of Health and Social Welfare, WACPS, civil society organizations, and several NGOs. (7) With support from international and national organizations, coordinates referrals of child victims of abuse to social services providers. (7) In 2018, the Network met regularly throughout 10 months of the year, and some of its members participated in a 2-day workshop on child protection. (10)
Anti-Human Trafficking Task Force	Coordinates anti-human trafficking activities. Chaired by MOL, comprising the Commissioner of the Bureau of Immigration and Naturalization; LNP; and representatives from MOJ, Ministry of Foreign Affairs, and Ministry of Internal Affairs. (6) Met regularly during the reporting period. (38)

Liberia

MINIMAL ADVANCEMENT

During 2018, the NACOMAL reported it had a budget for salaries but no budget allocated for program activities. (10)

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 mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on Elimination of Child Labor†	Aims to reduce child labor and the worst forms of child labor by 50 percent by 2030. Establishes three strategic objectives, including increasing public awareness on the causes and consequences of the worst forms of child labor, strengthening the legal and institutional frameworks in order to reduce child labor, and increasing social services and protection for children of vulnerable households. (42)
National Action Plan for Trafficking in Persons	Outlines the government's anti-human trafficking efforts, including those for child victims. (7) Although the current Plan expired in December 2018, the government extended it until June 2019 while it began drafting a new Action Plan covering 2019–2024. The new Plan was finalized in March 2019. (38)
National Child Welfare and Protection Policy	Focuses on the implementation and enforcement of existing child protection laws. (6) Research was unable to determine whether activities were undertaken to implement the National Child Welfare and Protection Policy.
Direct Assistance and Support to Trafficked Victims Standard Operation Procedures	Establishes roles and responsibilities for coordinating government assistance to human trafficking victims. (32) Provides shelter and care to children who may have been human trafficking victims. (43) Research was unable to determine whether activities were undertaken to implement the Direct Assistance and Support to Trafficked Victims Standard Operation Procedures during the reporting period.
National Social Welfare Policy	Prioritizes the development of action plans and policies that target children engaged in the worst forms of child labor, including child trafficking. (44) Research could not determine whether activities were undertaken to implement the National Social Welfare Policy during the reporting year.

† Policy was approved during the reporting period.

During the reporting period, the government did not renew key policies that may have a direct or indirect impact on child labor victims, including the National Strategy for Child Survival or the National Health Policy, both of which are policies that should address the issue of rehabilitation and care to child laborers. In addition, child labor elimination and prevention strategies are not included in the following policies: Revised National Youth Policy, Education Sector Plan, Rubber Industry Master Plan, and the National Employment Policy. (45-51)

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 with regard to adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Anti-Trafficking Awareness Campaign†	Government-funded program implemented by MOL, which aims to use radio and billboard messages to raise public awareness on human trafficking. (8,32) In 2018, MOL conducted an anti-trafficking public awareness campaign during the country's first World Day Against Trafficking in Persons. (10)
Shelter†	MOGCSP-operated shelter for vulnerable street children that includes a case management system. (6) Active in 2018. (10)
USDOL-Funded Projects to Combat Child Labor	County Level Engagement and Assistance to Reduce Child Labor (CLEAR) II, implemented by Winrock International and partners Verité and Lawyers Without Borders to build the capacity of the government to address child labor. (2,52,53) Additional information is available on the USDOL website.
U.S. Government-Funded Projects on Education for Adolescent Girls	U.S. Government-funded projects that aim to improve access to education and improve child protection. Includes New Accelerated Quality Education Activity (2016–2019), \$33.9 million USAID-funded project implemented by the Education Development Center; Providing Support for the Education of Girls with Disabilities, implemented by USAID with partnership and support from Liberia's Ministry of Education; Increasing Support for Out-of-School Girls and Youth, implemented by USAID; and McGovern-Dole International Food For Education and Child Nutrition Program. (54-56) Through programs of the USDOS Bureau of Educational and Cultural Affairs, female high school students participate in short and long-term exchanges to promote education, empowerment, and leadership skills. (43) Active in 2018. (10)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Liberia Social Safety Nets Project (2017–2021)	\$10 million World Bank-funded 4-year project implemented by MOGCSP that aims to establish key national safety net delivery systems and provide support for low-income households. (57) Active in 2018. (10)

† Program is funded by the Government of Liberia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (58-64)

In the previous year, the Liberia Institute of Statistics and Geo-Information Services and the MOL, with support from USAID and UNDP, conducted a 2017 Labor Force Survey, which reportedly includes a child labor component. (6) However, the government did not analyze or release any data in 2018. (10) Although the government funds social programs, they are not sufficient to address child labor, including in domestic work, the production of rubber, and the mining of gold and diamonds.

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 Liberia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the UN CRC Optional Protocol on Armed Conflict.	2013 – 2018
	Ensure that penalties for employing children under the minimum age for work are stringent enough to deter violations.	2014 – 2018
	Raise the compulsory education age to be consistent with the minimum age for employment.	2016 – 2018
Enforcement	Authorize the labor inspectorate to assess penalties for child labor violations.	2017 – 2018
	Conduct an adequate number of worksite inspections to combat child labor, including its worst forms.	2017 – 2018
	Publish information on the labor inspectorate's funding and the number of child labor violations found.	2016 – 2018
	Ensure that labor inspections are conducted in the informal sector in which research indicates children are working.	2016 – 2018
	Ensure that the labor inspectorate's complaint mechanism is adequately supported and operational.	2017 – 2018
	Ensure adequate funding for child labor enforcement agencies, such as the Ministry of Labor, the Liberia National Police, and the Women and Children Protection Section, and provide necessary training for such officials to enforce child labor laws.	2010 – 2018
	Disaggregate the child endangerment cases prosecuted through the Ministry of Justice to determine the number of child labor violations.	2016 – 2018
Coordination	Publish information on criminal law enforcement's investigations conducted, violations found, prosecutions initiated and convictions secured, related to the worst forms of child labor.	2017 – 2018
	Ensure adequate funding for the National Commission on Child Labor's program activities to address child labor.	2017 – 2018
Government Policies	Integrate child labor elimination and prevention strategies into relevant policies.	2010 – 2018
	Renew or develop policies that improve youth literacy rates and improve the health care delivery systems, such as the National Strategy for Child Survival and the National Health Policy.	2015 – 2018
	Publish information about the activities taken to implement policies that address child labor.	2017 – 2018
Social Programs	Collect and publish comprehensive research data to determine child labor activities and to inform policies and programs.	2013 – 2018
	Improve access to education by subsidizing the cost of school fees and reduce barriers to education by building additional schools, addressing sexual abuse in schools, providing adequate transportation and ensuring that children are registered at birth.	2012 – 2018
	Ensure the practice of "bush schools" does not prematurely remove children from school before the compulsory education age.	2017 – 2018
	Expand existing social programs to address the scope of the child labor problem, especially in domestic work, the production of rubber, and the mining of gold and diamonds.	2009 – 2018

MINIMAL ADVANCEMENT

REFERENCES

- 1 U.S. Department of State. Trafficking in Persons Report- Liberia. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/liberia/>.
- 2 U.S. Embassy- Monrovia. Reporting. January 24, 2017.
- 3 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 4 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Labour Force Survey, 2010. Analysis received March 12, 2018. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 5 U.S. Embassy- Monrovia. Reporting. December 29, 2015.
- 6 U.S. Embassy- Monrovia. Reporting. February 5, 2018.
- 7 U.S. Embassy- Monrovia. Reporting. January 15, 2014.
- 8 U.S. Embassy- Monrovia official. Email communication to USDOL official. March 27, 2015.
- 9 Giahvue, James Harding. Liberia: Artisanal Mining Undermines Education in Gbarpolu County in Liberia. February 14, 2017. <http://allafrica.com/stories/201702140447.html>.
- 10 U.S. Embassy- Monrovia. Reporting. February 8, 2019.
- 11 Winrock International. Email communication to USDOL official. April 7, 2016.
- 12 Samah, M. Locals in Nimba County get empower to curb child labor. Localvoicesliberia.com, June 17, 2016. Source on file.
- 13 Henderson, Kristin. Why do Children Live on the Street in Liberia? August 29, 2017. <http://www.laces.org/blog/children-live-street-liberia/>.
- 14 Johnson-Mbayo, Bettie K. Liberian Children Used As Beggars to Aid Families in Economic Turmoil. May 6, 2017. <https://www.frontpageafricaonline.com/index.php/news/4064-liberian-children-used-as-beggars-to-aid-families-in-economic-turmoil>.
- 15 Parley, Winston W. Liberian Children Alarm Danger. May 18, 2016. <http://allafrica.com/stories/201605181275.html>.
- 16 MacDougall, Clair. Liberia’s Child Prostitutes. May 19, 2014. <https://www.thedailybeast.com/liberias-child-prostitutes>.
- 17 News Public Trust. “Sexual exploitation and abuse of girls at a crisis point”- Liberian Girls Alliance. November 30, 2017. <http://newspublictrust.com/2017/11/30/sexual-exploitation-and-abuse-of-girls-at-a-crisis-point-liberian-girls-alliance/>.
- 18 U.S. Embassy Monrovia official. Email communication to USDOL official. May 7, 2018.
- 19 Plan International. Promoting child rights to end child poverty - Universal Birth Registration Bears Fruit in Liberia. 2014. Source on file.
- 20 Government of Liberia. Demographic and Health Survey 2013. The Liberia Institute of Statistics and Geo-Information Services. August 2014. <https://dhsprogram.com/pubs/pdf/FR291/FR291.pdf>.
- 21 Government of Liberia. Labor Law, Titles 18 and 18A. Enacted: 1956. 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.
- 22 Government of Liberia. Children’s Law. Enacted: October 13, 2011. Source on file.
- 23 Government of Liberia. Decent Work Act. Enacted: June 26, 2015. Source on file.
- 24 Government of Liberia. Constitution of the Republic of Liberia. Enacted: January 6, 1986. <http://www.tlcafrica.com/constitution-1986.htm>.
- 25 Government of Liberia. AN ACT TO BAN TRAFFICKING IN PERSONS WITHIN THE REPUBLIC OF LIBERIA. Enacted: July 5, 2005. http://www.protectionproject.org/wp-content/uploads/2010/09/Liberia_Act-to-BanTIP_2005.pdf.
- 26 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Liberia (ratification: 2003) Published: 2014. Accessed November 17, 2014. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3139023,102742,Liberia,2013.
- 27 Government of Liberia. Education Reform Act. Enacted: 2011. Source on file.
- 28 Child Soldiers International. Louder than words: An agenda for action to end state use of child soldiers: Appendix II: Data Summary on Recruitment Ages of National Armies. 2012. http://www.ohchr.org/Documents/Issues/RuleOfLaw/ArmsTransfers/ChildSoldiersInternational_2.pdf.
- 29 U.S. Embassy- Monrovia official. Email communication to USDOL official. July 8, 2019.
- 30 Social Protection. Liberia: Ministry of Gender, Children, and Social Protection. April 26, 2015. <http://socialprotection.org/institutions/liberia-ministry-gender-children-social-protection-mogcsp>.
- 31 U.S. Embassy- Monrovia. Reporting. April 23, 2018.
- 32 U.S. Embassy- Monrovia. Reporting. February 12, 2014.
- 33 Government of Liberia, Ministry of Justice. Mission and Vision. 2001. <http://moj.gov.lr/about/mission>.
- 34 Kollie, Ballah M. Liberia: MOL, ILO Train Enforcement Actors On Child Labour. April 4, 2017. <http://allafrica.com/stories/201704060757.html>.
- 35 Government of the Republic of Liberia. Budget Call Circular- II FY 2017/18. February 23, 2016. <https://www.mfdp.gov.lr/index.php/the-budget?download=128:budget-call-circular-ii-fy2017-18>.
- 36 Export.gov. Liberia - 9.2-Labor Policies and Practices. August 10, 2017. <https://www.export.gov/article?id=Liberia-Labor-Policies-and-Practices>.
- 37 U.S. Department of State. Trafficking in Persons Report- 2017: Liberia. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/libya/>.
- 38 U.S. Embassy- Monrovia. Reporting. February 21, 2019.
- 39 U.S. Embassy- Monrovia. Reporting. February 13, 2015.
- 40 Government of Liberia, Ministry of Labour. National Commission on Child Labour (NACOMAL): Plan of Action 2007–2016. 2007. Source on file.
- 41 U.S. Department of State. Country Reports on Human Rights Practices- 2016: Liberia. Washington, DC. March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/libya/>.
- 42 Government of Liberia. National Action Plan on the Elimination of the Worst Forms of Child Labour: 2018-2030. 2018. Source on file.
- 43 U.S. Embassy- Monrovia. Reporting. May 26, 2017.
- 44 Government of Liberia, Ministry of Health and Social Welfare. Social Welfare Policy. March 2009. [http://liberiamohsw.org/Policies & Plans/Social Welfare Policy.pdf](http://liberiamohsw.org/Policies%20&%20Plans/Social%20Welfare%20Policy.pdf).
- 45 Government of Liberia. National HIV & AIDS Strategic Plan 2015–2020. July 2014. [http://www.nacliberia.org/doc/Liberia NSP 2015-2020 Final _Authorized_ OK.pdf](http://www.nacliberia.org/doc/Liberia%20NSP%202015-2020%20Final%20Authorized%20OK.pdf).
- 46 Golden Veroleum Liberia. Liberia Vision 2030. 2015. <http://www.firstmagazine.com/DownloadSpecialReportDetail.1403.ashx>.

- 47 Government of Liberia. Liberia – Road Asset Management Project: resettlement policy framework. October 2009.
http://www-wds.worldbank.org/external/default/main?pagePK=64193027&piPK=64187937&theSitePK=523679&menuPK=64187510&searchMenuPK=64187511&entityID=000333037_20110401024441&cid=3001_2.
- 48 Government of Liberia, Ministry of Agriculture. Liberia Rubber Industry Master Plan 2010-2040. Sustainable Tree Crops Program, International Institute of Tropical Agriculture and USAID, December 3, 2009. Source on file.
- 49 Government of Liberia, Ministry of Labor. EMPLOYMENT POLICY. 2009.
http://www.ilo.org/emppolicy/pubs/WCMS_143264/lang--en/index.htm.
- 50 Government of Liberia, Ministry of Health and Social Welfare. National Health Policy, National Health Plan: 2007–2011. 2007.
<http://apps.who.int/medicinedocs/documents/s18363en/s18363en.pdf>.
- 51 Government of Liberia, Ministry of Health and Social Welfare. National Strategy for Child Survival in Liberia: 2008–2011. 2008.
<http://liberiamohsw.org/Policies & Plans/National Strategy for Child Survival.pdf>.
- 52 Winrock International. Terms of Reference: Actions to Reduce Child Labor. Liberia Endline Survey. 2016.
http://emansion.gov.lr/doc/SOW_2.pdf.
- 53 ILO-IPEC. Global Action Program on Child Labor Issues. October 2015: Technical Progress Report. Source on file.
- 54 USAID. Liberia - Education. December 11, 2015.
<https://www.usaid.gov/liberia/education>.
- 55 USAID. Liberia - Education. November 1, 2016.
<https://www.usaid.gov/liberia/education>.
- 56 The White House, Office of the First Lady. First Lady Announces New Let Girls Learn Commitment in Liberia. June 27, 2016: Fact Sheet.
<https://obamawhitehouse.archives.gov/the-press-office/2016/06/27/fact-sheet-first-lady-announces-new-let-girls-learn-commitment-liberia>.
- 57 World Bank. Liberia Social Safety Nets Project (P155293). May 24, 2017: Implementation Status & Results Report - Sequence 02.
<http://documents.worldbank.org/curated/en/415211495646258947/pdf/ISR-Disclosable-P155293-05-24-2017-1495646250618.pdf>.
- 58 USAID. Dollars to Results: Education and Social Services in Liberia. Accessed November 7, 2016. Source on file.
- 59 USAID. Access to Justice Program (A2JP). October 2016: Fact Sheet.
<https://www.usaid.gov/sites/default/files/documents/1860/A2JP Fact Sheet October 2016.pdf>.
- 60 Daily Observer. Liberia: Akon Arrives to Launch #LightToLearn. October 21, 2016.
<http://allafrica.com/stories/201610210164.html>.
- 61 Government of Liberia. Liberia Agriculture Investment Program Report. 2010. Source on file.
- 62 World Bank. Liberia - Girls Ebola Recovery Livelihood Support (GERLS) Project. April 25, 2016.
<http://documents.worldbank.org/curated/en/330581468197381549/pdf/105100-ISDS-P159493-Box396248B-PUBLIC-Dislosed-4-28-2016.pdf>.
- 63 World Bank. Education Sector - Ebola Recovery and Reconstruction Project (P154880). February 27, 2017: Implementation Status & Results Report - Sequence 02.
<http://documents.worldbank.org/curated/en/171961488217795401/pdf/ISR-Disclosable-P154880-02-27-2017-1488217785586.pdf>.
- 64 World Bank. Girls Ebola Recovery Livelihood Support (GERLS) Project (P159493). October 27, 2017: Implementation Status & Results Report - Sequence 02.
<http://documents.worldbank.org/curated/en/899921509100650971/pdf/Disclosable-Version-of-the-ISR-GIRLS-EBOLA-RECOVERY-LIVELIHOOD-SUPPORT-GERLS-PROJECT-P159493-Sequence-No-02.pdf>.

In 2018, Madagascar made a moderate advancement in efforts to eliminate the worst forms of child labor. The government adopted a new decree to make child labor legislation more comprehensive and approved the ratification of International Labor Organization Convention 189 on Domestic Workers and Protocol 29 of 2014 to the Forced Labor Convention. The government also partnered with outside organizations to increase awareness of child labor and strengthen child labor law enforcement in isolated regions. In addition, the government continued to participate in a number of programs targeting the worst forms of child labor, including expanding a cash transfer program to benefit 65,000 households in 7 regions of Madagascar. However, children in Madagascar engage in the worst forms of child labor, including in commercial sexual exploitation and mining. Children also perform dangerous tasks in agriculture, including in the production of vanilla. Although the government made meaningful efforts in all relevant areas during the reporting period, the government failed to impose penalties for violations related to the worst forms of child labor. In addition, limited resources for the enforcement of child labor laws may impede government efforts to protect children from the worst forms of child labor and social programs to combat child labor are insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Madagascar engage in the worst forms of child labor, including in commercial sexual exploitation and mining. (1-4) Children also perform dangerous tasks in agriculture, including in the production of vanilla. (5-9) Table 1 provides key indicators on children's work and education in Madagascar.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.1 (1,206,992)
Attending School (%)	5 to 14	69.1
Combining Work and School (%)	7 to 14	15.4
Primary Completion Rate (%)		67.6

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (10)

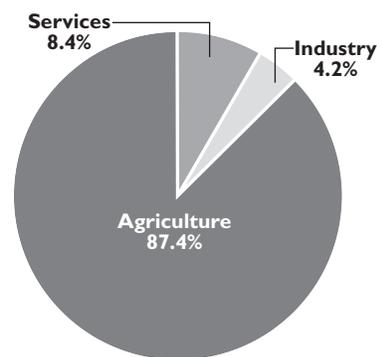
Source for all other data: International Labor Organization's analysis of statistics from the *Enquête Nationale sur le Travail des Enfants*, 2007. (11)

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 vanilla, cloves, coconut, rice, and peanuts (6,7,9,12-16)
	Fishing and deep-sea diving,† including for lobster and shrimp (7,17,18)
	Herding cattle (16,19)
Industry	Mining† gold, sapphires, crystal, quartz, and tourmaline, and transporting† blocks and stones at mining sites (4,20-23)
	Quarrying† and crushing stone† and making gravel (6,16,20,24)
Services	Street work, including begging, washing cars, market vending, transporting goods by rickshaw, and scavenging garbage (7,17-20,25)
	Working in bars,† including as waitresses, maids, and masseuses (1,2,17,19,26)
	Domestic work† (1,7,14,17,18,20)

Figure 1. Working Children by Sector, Ages 5-14



Madagascar

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,7,20,27,28)
	Use in illicit activities such as selling drugs and vandalism (25,29)
	Forced labor in mining, quarrying, begging, and domestic work (1,2,7,17,20)

† 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.

Children in Madagascar, predominantly girls, are lured by peers, family members, and pimps to engage in commercial sexual exploitation, particularly in tourist locations and mining areas. (1,2,17,23) Children as young as age 10 are also involved in mining gold, stones, and sapphires in the regions of Analamanga, Anosy, Ilakaka, and Vakinankaratra. Children in the mining sector suffer from respiratory problems and diseases such as diarrhea and malaria, and are also at risk of injury from collapsing mines. (4,7,16,17,20,21,23) In addition, children working in the production of vanilla in Madagascar are exposed to toxic substances and extreme temperatures; they transport heavy loads, and work for long hours. There are reports that children are increasingly recruited by adults to engage in vanilla theft because they are less likely to be searched by security forces or subjected to mob retaliation. (5,8,14,15,18,30)

Although the Constitution guarantees free compulsory education, access to education is impeded due to a lack of school infrastructure and qualified teachers, limited transportation services in rural areas with long distances to schools, the cost of school fees and supplies, and reported school violence, leaving children vulnerable to the worst forms of child labor. (14,16,17,31-34) During the reporting period, Madagascar was hit by 2 tropical storms, affecting school attendance for an estimated 50,000 children, which, coupled with the suspension of other social services, increased children’s vulnerability to human trafficking and labor exploitation. (35)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Madagascar 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’s laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 24 of the Constitution; Article 100 of the Labor Code; Article 39 of Law 2008-011; Article 2 of Decree 2018-009 (33,36,37,38)
Minimum Age for Hazardous Work	Yes	18	Article 101 of the Labor Code; Article 10 of Decree 2007-563 (36,39)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 101 of the Labor Code; Articles 10, 12, and 16–22 of Decree 2007-563; Article 19 of Decree 2018-009 (36-39)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Articles 1, 8, and 18 of Law 2014-040; Article 15 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Article 10 of Decree 2018-009 (36-40)
Prohibition of Child Trafficking	Yes		Article 15 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Articles 1, 6, 8, 13, and 22 of Law 2014-040 (39-41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 13 of Decree 2007-563; Article 335 of Law 2007-038; Article 1 of Law 2014-040 (39-41)
Prohibition of Using Children in Illicit Activities	Yes		Articles 11 and 14 of Decree 2007-563 (39)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 11 of Ordinance No. 78-002 (42)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 15 of Decree 2007-563 (39)
Compulsory Education Age	Yes	16‡	Article 24 of the Constitution; Article 39 of Law 2008-011 (33,38)
Free Public Education	Yes		Article 24 of the Constitution (33)

* No conscription

‡ Age calculated based on available information (38)

In 2018, the government adopted a decree that expands the list of occupations or activities prohibited for children under age 18 to include underwater and underground work, work in night clubs and massage parlors, and work in agriculture that exceeds their strength. (18,37,39,43)

In addition, during the reporting period, the Malagasy Parliament approved the ratification of the ILO Convention 189 on Domestic Workers and ILO Protocol 29 on Forced Labor. Workshops to draft bills to comply with these conventions are planned in 2019, pending the president's signature of the instruments of ratification and their delivery to the ILO. (18,44,45)

Madagascar's Labor Code sets the minimum age for work as 15. However, the Labor Code also states that the minimum age cannot be less than the age of completion of compulsory education. In 2008, Madagascar amended its education law to raise the age of compulsory education to 16, effectively raising the minimum age for work to 16 as well. (33,36,38)

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 authority of the Ministry of Civil Services and Labor Division for the Prevention, Abolition, and Monitoring of Child Labor (PACTE) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Civil Services and Labor Division for the Prevention, Abolition, and Monitoring of Child Labor (PACTE)	Enforces child labor laws and coordinates, trains, and evaluates all activities toward the elimination of child labor. (31,32,46)
Ministry of Justice	Enforces laws pertaining to violence against children, including human trafficking and commercial sexual exploitation. (2,46) Works with Department-level courts to prosecute child labor cases. (17,47)
National Civil Police Force Morals and Minors Brigade	Investigates criminal cases involving minors, including issues pertaining to human trafficking and commercial sexual exploitation, mainly in urban areas. Housed under the Ministry of Public Security. (2,7,17,46)

Madagascar

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
National Gendarmerie Child Protective Services	Investigates criminal cases involving children, including those related to the worst forms of child labor, mainly in rural areas. Housed under the Ministry of National Defense. (17,29,46,48)
Ministry of Population, Social Protection and the Promotion of Women	Develops and implements programs to protect vulnerable children, including victims of the worst forms of child labor. (17) In collaboration with UNICEF, manages 780 child protection networks to protect children from abuse and exploitation in all 22 regions of Madagascar. (2,17,49,50)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Madagascar took actions to combat child labor (Table 6). However, gaps exist within the authority of PACTE that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$41,000 (17,46)	Unknown (18)
Number of Labor Inspectors	130 (17)	145 (18)
Inspectorate Authorized to Assess Penalties	No (17)	No (18)
Initial Training for New Labor Inspectors	Yes (17,46)	Yes (18)
Training on New Laws Related to Child Labor	N/A (17)	No (18)
Refresher Courses Provided	No (17,46)	No (18)
Number of Labor Inspections Conducted	Unknown (17,46)	Unknown (18)
Number Conducted at Worksite	Unknown (17,46)	Unknown (18)
Number of Child Labor Violations Found	Unknown (17,46)	Unknown (18)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (17,46)	Unknown (18)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (17,46)	Unknown (18)
Routine Inspections Conducted	Yes (17,46)	Yes (18)
Routine Inspections Targeted	Yes (17,46)	Yes (18)
Unannounced Inspections Permitted	Yes (17,46)	Yes (18)
Unannounced Inspections Conducted	Yes (17,46)	Yes (18)
Complaint Mechanism Exists	Yes (17,46)	Yes (18)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (17,46)	Yes (18)

The number of labor inspectors is likely insufficient for the size of Madagascar's workforce, which includes more than 13.4 million workers. According to the ILO's technical advice of 1 inspector for every 40,000 workers in less developed economies, Madagascar would employ about 335 labor inspectors. (51-53) In addition, the concentration of labor inspectors in the capital hampers the government's capacity to enforce child labor laws in rural areas, especially in the agricultural sector. (3,7,17,31,46) During the reporting period, officials from the Ministry of Civil Services and Labor reported that labor inspectors have not received training on the new child labor decree, but they have carried out an information exchange on the decree. (18) In addition, the new law expanding the list of hazardous occupations has not been disseminated and lacks any real enforcement. (18)

In 2018, the Government of Madagascar reported that 25 labor inspectors were in training, with an additional 50 new recruits registered for training beginning in 2019. (18) Government officials have indicated that this amount was insufficient to carry out its mandate during the reporting period. In addition, reports indicate that PACTE lacked trained staff, equipment, and funding to manage existing child labor databases and conduct adequate child labor inspections. (7,17,46,54) During the reporting period the government allocated approximately \$490,000 to the Directorate of Labor and Social Laws, which includes the labor inspectorate, but research could not confirm what amount was disbursed to the inspectorate. (54)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Madagascar 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 financial and human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (17)	Yes (18)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (17)	Unknown (18)
Refresher Courses Provided	N/A (17)	Yes (18)
Number of Investigations	778 (55)	559 (18)
Number of Violations Found	78 (55)	35 (18)
Number of Prosecutions Initiated	Unknown (17)	Unknown (18)
Number of Convictions	Unknown (17)	Unknown (18)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (17)	Unknown (18)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (24,56)	Yes (18)

During the reporting period, the National Civil Police Force Morals and Minors Brigade (PMPM) investigated an estimated 596 complaints of crimes against children, such as rape and violence. Of these cases, 35 were for child labor and 15 for child trafficking. (18) It is unclear, however, how many prosecutions were initiated from these complaints and whether these cases led to convictions. (18)

The Ministry of Justice, with support from international donors, provided training on anti-trafficking legislation to law enforcement actors, including the PMPM and the National Gendarmerie Child Protective Services. (18) Despite these efforts, reports indicate a lack of trained staff, equipment, and transportation to adequately conduct criminal law enforcement efforts related to the worst forms of child labor. (7,18,57,58)

In 2018, a new anti-corruption court was established to handle trafficking cases. A second court is expected to be operational in Toamasina in 2019. (18,44,59) During the reporting period, law enforcement officials received training from the National Bureau to Combat Human Trafficking on trafficking in persons victim identification and referral. (18,44) In addition, the Ministry of Population, with support from the International Organization for Migration and Nippon Foundation, inaugurated a new shelter for human trafficking victims in Antananarivo. (18,60)

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 funding.

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

Coordinating Body	Role & Description
National Committee on the Fight Against Child Labor (CNLTE)	Coordinates programs, advises on child labor legislation and regulations, and implements the National Action Plan to Eliminate the Worst Forms of Child Labor. Led by the Ministry of Civil Services and Labor. (3,17,61,62) In 2018, implemented awareness-raising campaigns on child labor. (18)
Regional Child Labor Committees (CRLTE)	Coordinate, monitor, and evaluate all regional activities relating to the elimination of child labor. The 10 regional committees identify activities to promote the elimination of child labor and compile, analyze, and report child labor data to PACTE. (46,61,63) In 2018, the Sava regional committee carried out trainings for child protection network actors on the child protection system international and national legal framework. The Sava regional committee also validated a regional social labor convention that includes specific provisions on child labor cases. (18) During the reporting period, an additional 20 local child labor committees were established to improve monitoring of child labor cases and victim referrals. (18)

Madagascar

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
National Bureau to Combat Human Trafficking	Coordinates anti-human trafficking efforts in Madagascar and take responsibility for implementing the National Action Plan to Combat Trafficking in Persons. Chaired by the Office of the Prime Minister, includes representatives from the Ministries of Civil Services and Labor, Justice, and Population and Social Affairs. (2,3,40,64) In 2018, provided training to law enforcement actors on anti-trafficking legislation, investigation methods, and victim identification and referral. The Government of Madagascar did not allocate funding to the National Bureau to Combat Human Trafficking during the year, but did adopt a decree intended to give it more autonomy and facilitate budget allocation. (18,44)
National Child Protection Committee	Guides and coordinates national child protection policy and programs. Chaired by the Minister of Population and Social Affairs, comprises a steering committee and a technical commission of specialists. (46,65) In 2018, in collaboration with UNICEF released a study on violence against children, which included information on workplace violence affecting victims of child labor. (18,55,66)

In 2018, the National Committee on the Fight Against Child Labor, Regional Child Labor Committees, and the National Bureau to Combat Human Trafficking lacked sufficient funding to effectively operate and coordinate efforts to address child labor. (14,18,29,32,34,47)

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 funding and implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Eliminate the Worst Forms of Child Labor (2004–2019)	Aims to eliminate the worst forms of child labor by strengthening child labor laws, conducting awareness-raising campaigns, mobilizing funds for social programs, and updating databases on child labor. Led by the CNLTE. (7,56,61) In 2018, the PACTE division of the Ministry of Civil Services and Labor conducted sensitization on child labor in Antananarivo, and organized discussions with regional child labor committees to assess the implementation of the Plan in the regions of Vakinankaratra, Haute Matsiatra, and Amoron'i Mania. (18)
National Action Plan to Combat Trafficking in Persons (2015–2019)	Seeks to enhance the legal framework to prevent human trafficking, effectively implement human trafficking laws, and provide protection and care for victims. Overseen by the National Bureau to Combat Human Trafficking. (1,17,64,67) In 2018, inaugurated a new shelter for human trafficking victims in Antananarivo. (18,60) However, reports indicated that the government did not provide sufficient funding to implement the National Action Plan in 2018. (18,44)
Code of Conduct for the Protection of Children in the Tourism Industry	Aims to prevent commercial sexual exploitation of children in the tourism industry. Implemented by the Ministry of Tourism and supported by the ILO and UNICEF. (68-71) In 2018, monitored 178 operators who adhered to implementing the Code of Conduct. (18)
National Social Protection Policy	Aims to protect children from abuse, violence, and exploitation and promotes improved access to education and livelihood services for vulnerable children. Led by the Ministry of Population, Social Protection and the Promotion of Women and supported by international donors. (3,72-74) In 2018, published a study on violence against children that included information on violence experienced by victims of child labor. (18,55,66)
National Development Plan (2015–2019)	Aims to promote sustainable development and social equality. Overseen by the Ministry of Economy and Planning and supported by the ILO's Decent Work Country Program. (3,75,76) Includes a budget of \$83,000 to specifically combat commercial sexual exploitation of children and child labor in domestic work, mining, quarrying, and other hazardous sectors. (32,75-77) In 2018, conducted awareness-raising activities for World Day Against Child Labor. (78)
Education Sector Plan (2018–2022)	Aims to expand access to education and improve the quality of education. Overseen by the Ministry of Education. (9,17,46,79) In 2018, activities included training teachers on a new education program for grade 10 and reorganizing the academic calendar so that holidays coincide with the rainy season to avoid closing schools due to flooding or humanitarian crises. (18)

† The government had other policies that may have addressed child labor issues or had an impact on child labor. (76,80)

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 adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Project Supporting Sustainable and Child Labor Free Vanilla-Growing Communities in Sava (2016–2020)	USDOL-funded \$4 million project implemented by the ILO that aims to reduce child labor in the vanilla-producing areas of the Sava Region. (3,81,82) In 2018, organized workshops to integrate Madagascar as a pathfinder country in Alliance 8.7 to tackle forced and child labor and support the implementation of the Anti-Child Labor Code of Conduct of Vanilla Producers. During the reporting period also supported CRLTEs in finalizing child labor inspection templates. (18,83,84) Additional information is available on the USDOL website.
UNICEF Country Program (2015–2019)	UNICEF-funded \$288,000 program that supports the government's efforts to improve education, health, nutrition, and protection for children in Madagascar. (18,85) In 2018, activities included training child protection network actors on the legal framework of the child protection system, providing economic support to families living in mining communities, and providing assistance to 300 street children. Also implemented a program to combat commercial sexual exploitation of children in the regions of Diana, Nosy Be, Atsimo-Andrefana, Toliara, and Mangily. (18,86)
Social Support and Reintegration Centers†	Government program that provides social and reintegration services for victims of child labor. Includes the <i>Manjary Soa</i> Center and the <i>Vonjy</i> Centers in Antananarivo, Toamasina, Nosy Be and Mahajanga. (2,17,87) In 2018, the <i>Mitsinjo</i> Center for human trafficking victims was opened with support from the IOM and Nippon Foundation. (18,60)
Public Investment Program for Social Action†	Ministry of Civil Services and Labor \$34,700 program that supports school enrollment and training for street children. (20,46,56) In 2018, provided services for 296 street children. (88)
Cash Transfer Program (2017–2019)†	Ministry of Population, Social Protection and the Promotion of Women \$35 million program, supported by the World Bank and UNICEF, that aims to provide cash assistance for families with school-age children, conditioned on children's school attendance. In 2018, expanded program to benefit 65,000 households in the south of Madagascar. (17,18,45,89,90)
Education for All Programs (2015–2019)	Government of Norway and World Bank-funded projects that aim to improve the quality of and access to primary education, and provide school feeding programs in the southern regions of Androy, Anosy, and Atsimo-Andrefana. Led by the Ministry of Education. (56,91,92) In 2018, provided trainings on a new grade 10 educational program for teachers in several regions. (18)

† Program is funded by the Government of Madagascar.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (86,93-95)

Research found that basic health and social services available to victims of the worst forms of child labor are not adequate to meet current needs. (2,7,14,17,46) Although Madagascar has programs that target child labor, the scope of these programs is insufficient to address the extent of the problem, particularly in agriculture, commercial sexual exploitation, domestic work, begging, and mining. (7,20,34,56)

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 Madagascar (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the number of labor inspectors conforms to the ILO's technical advice.	2015 – 2018
	Authorize the labor inspectorate to assess penalties.	2017 – 2018
	Ensure that labor and criminal law enforcement officials receive adequate funding and training to enforce child labor laws adequately, including in rural areas.	2009 – 2018
	Publish enforcement information related to child labor, including labor inspectorate funding, the number of labor inspections conducted, violations found, penalties imposed, the criminal law enforcement prosecutions initiated, and the number of convictions.	2013 – 2018
	Ensure that existing databases function to gather enforcement data on child labor, including by providing adequate funding.	2009 – 2018
	Disseminate and enforce the new decree expanding the list of hazardous occupations for children.	2018
Coordination	Ensure that the National Committee on the Fight Against Child Labor, the Regional Child Labor Committees, and the National Bureau to Combat Human Trafficking receive adequate funding to effectively operate and coordinate to fulfill their missions.	2014 – 2018
Government Policies	Ensure that appropriate funding exists to effectively implement the National Action Plan to Combat Trafficking in Persons.	2016 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including those in rural communities, by removing fees for supplies and school-related costs, increasing school infrastructure and transportation services, hiring sufficiently qualified teachers, and ensuring children's safety in schools.	2011 – 2018
	Ensure that social protection systems have adequate funding and staff to provide appropriate services to victims of the worst forms of child labor.	2014 – 2018
	Expand the scope of programs to address child labor in agriculture and the worst forms of child labor in agriculture, commercial sexual exploitation, domestic work, and mining.	2014 – 2018

REFERENCES

- ECPAT France. Contribution d'ECPAT France sur le suivi de la situation de l'exploitation sexuelle des enfants à des fins commerciales-Madagascar. 2015. http://tbinternet.ohchr.org/Treaties/CRC-OP-SC/Shared Documents/MDG/INT_CRC-OP-SC_NGO_MDG_21425_F.pdf.
- U.S. Department of State. Trafficking in Persons Report- 2018: Madagascar. Washington, DC: June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/madagascar/>.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Madagascar (ratification: 2001). Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3297545.
- RFI. Sortir les enfants des mines de saphirs du sud de Madagascar. September 25, 2017. <http://www.rfi.fr/afrique/20170925-reportage-sortir-enfants-mines-saphirs-sud-madagascar>.
- Radasimalala, Vonjy. Madagascar: Travail - Les enfants de la vanille à affranchir. L'Express de Madagascar, November 11, 2015. <http://fr.allafrica.com/stories/201511121131.html>.
- Herinjaka, Rabenaivo. Vanille: l'exploitation des enfants mis à nue. April 12, 2014. Source on file.
- ILO. Individual Case Discussion concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Madagascar (ratification: 2001). Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3284607.
- Lind, Peter Lykke. Madagascar's £152m vanilla industry soured by child labour and poverty. The Guardian, December 8, 2016. <https://www.theguardian.com/global-development/2016/dec/08/madagascar-152m-vanilla-industry-soured-child-labour-poverty?platform=hootsuite>.
- ILO. Supporting Sustainable, Child Labor Free Vanilla-Growing Communities in Sava. October 2017: Technical Progress Report. Source on file.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2018. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Enquete Nationale sur le Travail des Enfants, 2007. Analysis received January 12, 2018. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Antananarivo. Reporting. February 5, 2016.
- Vanilla collector. Interview with USDOL official. March 11, 2016.
- Centre for Civil and Political Rights. Madagascar: Rapport de la société civile sur la mise en œuvre du Pacte international relatif aux droits civils et politiques (PIDCP). June 2017. https://tbinternet.ohchr.org/Treaties/CCPR/Shared Documents/MDG/INT_CCPR_CSS_MDG_27612_F.pdf.
- ILO. Eliminer le travail des enfants dans la chaîne de production de la vanille, c'est l'affaire de tous! June 13, 2016. http://www.ilo.org/global/docs/WCMS_496527/lang--fr/index.htm.
- UNICEF. L'enfance à Madagascar: Une promesse d'avenir. August 2014. http://www.unicef.org/madagascar/fr/web-SITAN-BOOK2014-20X30cm-28septembre2014_2.pdf.
- U.S. Embassy- Antananarivo. Reporting. January 18, 2018.
- U.S. Embassy- Antananarivo. Reporting. January 24, 2019.
- NGO official. Interview with USDOL official. February 22, 2016.
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Madagascar (ratification: 2001). Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3252830:NO.
- ARTE G.E.I.E. Madagascar: Les Enfants des Mines. March 20, 2015. <http://info.arte.tv/fr/madagascar-les-enfants-des-mines>.
- Andrianaivo, M. La situation des enfants à Madagascar. Iecitoyen.mg, June 23, 2016. Source on file.
- deGrave, Arnaud. Qu'arrive-t-il après un boom minier ? Photographies à Madagascar. Mongabay: August 9, 2017. <https://fr.mongabay.com/2017/08/quarrive-t-il-apres-un-boom-minier-photographies-a-madagascar/>.
- U.S. Embassy- Antananarivo. Reporting. January 12, 2017.
- ILO. Etude sur le phénomène de délinquance des enfants et des jeunes dans la ville d'Antsirana. 2015. http://www.ilo.org/global/docs/WCMS_510729/lang--fr/index.htm.
- National Union of Social Workers member. Interview with USDOL official. February 12, 2016.
- Daily Nation. Alarm over child sex exploitation in Madagascar. Nairobi: March 1, 2016. <http://www.nation.co.ke/news/africa/Alarm-over-child-sex-exploitation-in-Madagascar/-/1066/3097532/-/format/xhtml/-/edjyfi/-/index.html>.
- Linfo.re. Exploitation sexuelle des enfants: un phénomène inquiétant à Madagascar. February 25, 2016. <http://www.linfo.re/ocean-indien/madagascar/687972-exploitation-sexuelle-des-enfants-un-phenomene-inquietant-a-madagascar>.
- U.S. Embassy- Antananarivo. Reporting. February 12, 2018.
- Hansen, Julie Hjerl, et al. Vanilla Hidden Price - Bottomless debt and child labor. DanWatch. December 8, 2016. <https://www.danwatch.dk/undersogelse/vaniljens-skjulte-pris-bundloes-gaeld-og-boernarbejde-iii/>.
- U.S. Department of State. Country Reports on Human Rights Practices- 2018: Madagascar. Washington, DC: March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/madagascar/>.

- 32 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Madagascar (ratification: 2001). Published: 2016.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3252827:NO.
- 33 Government of Madagascar. Loi Constitutionnelle, N° 2007. Enacted: April 27, 2007.
http://www.wipo.int/wipolex/en/text.jsp?file_id=177213.
- 34 UN International Covenant on Civil and Political Rights Human Rights Committee. Observations finales concernant le quatrième rapport périodique de Madagascar. August 22, 2017: CCPR/C/MDG/CO/4.
http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/MDG/CO/4&Lang=En.
- 35 UNICEF. Madagascar Annual Situation Report 2018. December, 2018.
https://reliefweb.int/sites/reliefweb.int/files/resources/Madagascar_Humanitarian_situation_Report_December_2018_EXTERNAL_.pdf.
- 36 Government of Madagascar. Labor Code, No. 2003-044. Enacted: June 10, 2004.
<http://www.droit-afrique.com/images/textes/Madagascar/Mada - Code du travail.pdf>.
- 37 Government of Madagascar. Decret N° 2018-009 modifiant et complétant certaines dispositions du Décret N°2007-563 du 03 juillet 2007 relatif au travail des enfants. Enacted: January 11, 2018.
- 38 Government of Madagascar. Loi n° 2008-011 du 20 juin 2008 modifiant certaines dispositions de la Loi n° 2004-004 du 26 juillet 2004 portant orientation générale du Système d'Education, d'Enseignement et de Formation à Madagascar. Enacted: June 20, 2008.
<http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/89306/102560/F754294269/MDG-89306.pdf>.
- 39 Government of Madagascar. Decret relatif au travail des enfants, No. 2007-563. Enacted: July 3, 2007.
http://www.justice.gov.mg/wp-content/uploads/textes/1TEXTES_NATIONAUX/DROIT PRIVÉ/Textes sur le travail/Decret_2007-563.pdf.
- 40 Government of Madagascar. La Lutte Contre la Traite des Etres Humains. Enacted: December 16, 2014.
<http://www.assemblee-nationale.mg/?loi=loi-n2014-040-traite-etres-humains&lang=en>.
- 41 Government of Madagascar. Modifying and Completing Some Provisions of the Penal Code on the Fight Against Trafficking in Persons and Sexual Tourism, No. 2007-038. Enacted: January 14, 2008. Source on file.
- 42 Government of Madagascar. Extrait de l'Ordonnance N° 78-002 du 16 Février 1978 sur les Principes Généraux du Service National. Enacted: 1978. Source on file.
- 43 U.S. Embassy- Antananarivo. Reporting. February 14, 2018.
- 44 U.S. Embassy- Antananarivo. Reporting. March 1, 2019.
- 45 U.S. Embassy- Antananarivo official. Email communication to USDOL official. February 28, 2019.
- 46 Government of Madagascar. Written Communication. Submitted in response to U.S. Department of Labor's "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". January 3, 2018.
- 47 U.S. Embassy- Antananarivo. Reporting. October 13, 2017.
- 48 Midi Madagasikara. Droit de l'enfant: Nouveau service de protection de l'enfant au sein de la gendarmerie. September 16, 2017.
<http://www.midi-madagasikara.mg/societe/2017/09/16/droit-de-lenfant-nouveau-service-de-protection-de-lenfant-au-sein-de-la-gendarmerie/>.
- 49 U.S. Embassy- Antananarivo official. Email communication to USDOL official. April 17, 2017.
- 50 Ministry of Population and Social Affairs official. Interview with USDOL official. March 18, 2016.
- 51 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York: 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 52 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 53 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy, November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 54 U.S. Embassy- Antananarivo official. Email communication to USDOL official. June 25, 2019.
- 55 U.S. Embassy- Antananarivo official. Email communication to USDOL official. June 19, 2018.
- 56 Government of Madagascar official. Email communication to USDOL official. January 14, 2017.
- 57 National Police Force's Morals and Minors Brigade official. Interview with USDOL official. March 8, 2016.
- 58 Andrianaivo, Maholy. Travail des enfants à Madagascar: La répression et la pénalisation ne progressent pas. La Tribune de Diego et du Nord de Madagascar, Diego Suarez. May 30, 2016.
<http://atribune.cyber-diego.com/societe/2056-travail-des-enfants-a-madagascar-la-repression-et-la-penalisation-ne-progressent-pas.html>.
- 59 Ministry of Justice. Inauguration du Pôle Anti-Corruption (PAC) à Antananarivo. June 20, 2018.
<http://www.justice.mg/2018/06/20/inauguration-du-pole-anti-corruption-pac-a-antananarivo/>.
- 60 IOM. IOM, Nippon Foundation Provide Protection for Victims of Trafficking in Madagascar. September 18, 2018.
<https://www.iom.int/news/iom-nippon-foundation-provide-protection-victims-trafficking-madagascar>.
- 61 Government of Madagascar. Décret n° 2005-523 du 9 août 2005 portant modification de certaines dispositions des articles du décret n° 2004-985 du 12 octobre 2004 portant création, missions et composition du Comité National de Lutte contre le Travail des Enfants (CNLTE). Enacted: July 3, 2007.
<http://www.lexika.com/lois-malagasy/droit-du-travail/decret-portant-modification-de-certaines-dispositions-des-articles-du-decret-n-2004-985-du-12-octobre-2004-portant-creation-missions-et-composition-du-comite-national-de-lutte-contre-le-travail/>.
- 62 Ramanantsoa, Noeline. Soutenance des rapports initiaux de Madagascar sur l'application des deux protocoles facultatif relatifs à la convention sur les droits de l'enfant. September 28, 2015.
http://tbinternet.ohchr.org/Treaties/CRC-OP-SC/Shared Documents/MDG/INT_CRC-OP-SC_STA_MDG_21769_E.pdf.
- 63 Ministry of Labor official. Interview with USDOL official. March 7, 2016.
- 64 Primature Madagascar. Le Plan National de Lutte contre la Traite de Personnes validé officiellement par le Premier Ministre. La Direction de la Communication, March 5, 2015. Source on file.
- 65 Government of Madagascar. Projet de décret portant institution d'un Comité National de Protection de l'Enfant (CNPE), No. 2012-858. Enacted: February 20, 2013.
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/94708/111171/F647529721/MDG-94708.pdf>.
- 66 UNICEF. Etude sur les violences envers les enfants à Madagascar. June, 2018.
<https://weshare.unicef.org/Detail/2AMZIFV23XY5>.
- 67 Government of Madagascar. Plan National de Lutte contre la Traite des Personnes. Enacted: 2015. Source on file.
- 68 UNICEF. Signature du Code de conduite des acteurs du tourisme à l'Ile de Sainte Marie pour renforcer la lutte contre l'exploitation sexuelle des enfants à des fins commerciales (ESEC) et le tourisme sexuel impliquant des enfants (TSIE). May 11, 2016. Source on file.

Madagascar

MODERATE ADVANCEMENT

- 69 UNICEF. Les acteurs du tourisme réfléchissent ensemble sur la mise en place du Code de conduite national en matière de lutte contre l'exploitation sexuelle des enfants à des fins commerciales et le tourisme sexuel impliquant les enfants. February 24, 2016. Source on file.
- 70 Government of Madagascar, Ministry of Tourism. Lutte contre l'Exploitation Sexuelle des enfants à des fins Commerciales et le Tourisme Sexuel Impliquant les Enfants à Madagascar. July 13, 2016. <http://www.tourisme.gov.mg/lutte-contre-lexploitation-sexuelle-des-enfants-a-des-fins-commerciales-et-le-tourisme-sexuel-impliquant-les-enfants-a-madagascar/>.
- 71 Government of Madagascar, Ministry of Tourism. Code de conduite des acteurs du Tourisme. June 15, 2015. <http://www.tourisme.gov.mg/code-de-conduite-des-acteurs-du-tourisme/>.
- 72 UNICEF. Cérémonie de Validation de la Politique Nationale de Protection Sociale. September 18, 2015. http://www.unicef.org/madagascar/fr/media_17024.html.
- 73 Radasimalala, Vonjy, and Michella Raharisoa. Face à la pauvreté – Des axes stratégiques pour renforcer la protection sociale. L'Express de Madagascar, September 25, 2015. <http://fr.allafrica.com/stories/201509270025.html>.
- 74 Government of Madagascar. Politique Nationale de Protection Sociale. Enacted: September 2015. Source on file.
- 75 Government of Madagascar. Plan Nationale de Développement Interimaire. Enacted: December 2014. Source on file.
- 76 ILO. Decent Work Country Program - Madagascar (2015–2019). May 2015. Source on file.
- 77 UNDP. Plan d'action pour la mise en oeuvre du programme de pays entre le gouvernement de Madagascar et le PNUD. 2015. http://www.mg.undp.org/content/dam/madagascar/docs/plancadre_MDG/CPAP-MEP-LOWDEF.pdf.
- 78 U.S. Embassy- Antananarivo. Reporting. April 15, 2019.
- 79 Government of Madagascar. Education Sector Plan. June 2017. Source on file.
- 80 UNDAF. Plan-cadre des Nations Unies pour l'aide au développement - Madagascar. May 20, 2014. http://unctad.org/Sections/un_ceb/docs/ceb_2014_03_Madagascar_UNDAF2015-2019_fr.pdf.
- 81 USDOL. U.S. Department of Labor awards \$4m project to address child labor in vanilla-growing areas of Madagascar. Washington, DC: November 14, 2016: ILAB Announcement. <https://www.dol.gov/agencies/ilab/11142016-2>.
- 82 ILO. The US Department of Labor supports the promotion of a sustainable vanilla sector. May 19, 2017: Press Release. http://www.ilo.org/ipecc/news/WCMS_554426/lang-fr/index.htm.
- 83 ILO. Update on the Alliance 8.7 of the 2030 Agenda for Sustainable Development. February 11, 2019. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_670573.pdf.
- 84 ILO-IPEC. Supporting Sustainable and Child Labour-Free Vanilla Growing Communities in Sava. 2018: Technical Progress Report.
- 85 UNICEF. Madagascar Country programme document: March 2015–2019. February 4, 2015. http://www.unicef.org/about/execboard/files/2015-PLI-Madagascar_CPD-final_approved-EN.pdf.
- 86 ILO-IPEC Geneva Official. Email communication to USDOL official. February 10, 2018.
- 87 Le Centre Manjary SOA (C.M.S.). Government of Madagascar. Accessed March 10, 2014. Source on file.
- 88 UNICEF. Annual Report 2017 Madagascar. 2018. https://www.unicef.org/about/annualreport/files/Madagascar_2017_COAR.pdf.
- 89 World Bank. Social Safety Net Project (P149323). June 28, 2017: Implementation Status & Results Report - Sequence 04. <http://documents.worldbank.org/curated/en/484521498660154325/pdf/ISR-Disclosable-P149323-06-28-2017-1498660144678.pdf>.
- 90 UNICEF. Vatsy Fiarovagnajaja : Une réponse pour réduire les risques d'exploitation et de violence à l'encontre des enfants du sud. June 12, 2017. https://www.unicef.org/madagascar/fr/media_20084.html.
- 91 UNICEF. \$15 millions pour soutenir une éducation de qualité pour tous dans le grand sud. January 29, 2016. https://www.unicef.org/madagascar/fr/media_17770.htm.
- 92 Asoko Insight. Norway to give Madagascar \$15 million education boost. February 1, 2016. <https://asokoinsight.com/news/norway-to-give-madagascar-15-million-education-boost>.
- 93 ILO-IPEC Geneva Official. Email communication to USDOL official. January 9, 2015.
- 94 World Bank. Madagascar Emergency Support to Critical Education, Health and Nutrition Services Project. Accessed February 20, 2016. Source on file.
- 95 WFP. Country Programme Madagascar (2015–2019). 2015. <http://documents.wfp.org/stellent/groups/internal/documents/projects/wfp272074.pdf>.

In 2018, Malawi made a moderate advancement in efforts to eliminate the worst forms of child labor. The government debated an amendment to the Employment Act that would prohibit tenancy farming, and passed the Tobacco Industry Bill of 2018, which requires tobacco growers to report on efforts to eliminate child labor in tobacco farming. It also finalized the National Children's Policy, which will begin implementation in 2019. In addition, government inspectors also facilitated the removal of more than 1,000 victims of child labor and referred them to social services provided by the Ministry of Gender, Children and Social Welfare. However, children in Malawi continue to engage in the worst forms of child labor, including in the harvesting of tobacco and in commercial sexual exploitation, sometimes as the result of human trafficking. In addition, gaps continue to exist in labor law enforcement related to child labor, including financial resource allocation.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Malawi engage in the worst forms of child labor, including in the harvesting of tobacco and in commercial sexual exploitation, sometimes as the result of human trafficking. (1) Table 1 provides key indicators on children's work and education in Malawi.

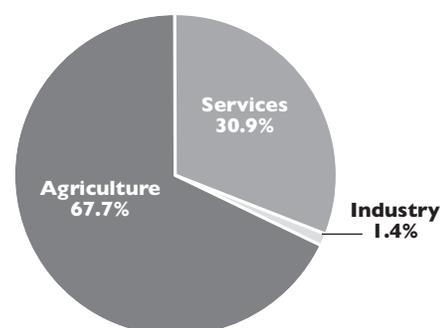
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	43.2 (1,965,690)
Attending School (%)	5 to 14	89.9
Combining Work and School (%)	7 to 14	45.4
Primary Completion Rate (%)		76.9

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2019. (2)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labour Survey, 2015. (3)

Figure 1. Working Children by Sector, Ages 5-14



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 tea and sugar (4,5)
	Planting and harvesting tobacco, clearing land, building tobacco-drying sheds, cutting and bundling, weeding, and plucking raw tobacco† (1,4-12)
	Herding livestock (13)
Industry	Quarrying,† mining,† collecting sand, and brickmaking† (13,14)
	Construction,† activities unknown (14)
	Domestic work in third-party homes (14,15)
Services	Ganyu (a form of casual labor) (16)
	Begging† (13,17)
	Vending and wholesaling (14,18)

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1,4,6,13,14,17,19)
	Herding goats and cattle; farming (predominantly tobacco); fishing; brickmaking; domestic work; and work in small businesses such as rest houses and bars, each sometimes as a result of human trafficking (4,13,20,21)
	Forced begging (13,20)
	Use in crimes (13,20)

† 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.

Children in Malawi are engaged in hazardous work in the production of tobacco. (9,14,20,22) Children who handle tobacco risk illness from nicotine absorption, including green tobacco sickness. They are exposed to pesticides, chemicals, and harsh weather conditions; they also utilize sharp tools. (7,9,23) Some children work alongside family members who are tenants on tobacco farms. (1,5,23,24) In the tenancy system, tenants’ pay is based on the quantity and quality of tobacco sold to farm owners after the harvest season, and parents have an incentive to use their children to increase their earnings. Tenants often incur loans during the growing season; in many case, they are unable to repay these debts, resulting in entire families being placed in debt bondage. (1,25,26) Many children working under these conditions do not attend school. (5,23)

Most child trafficking for labor in Malawi takes place internally. (13,20) Boys from southern Malawi are particularly vulnerable, and are forced work on tobacco farms in Malawi’s northern and central regions; they are also forced to work as cattle herders and in the brickmaking industry. (13,20,27) Child trafficking also takes place from Malawi to other countries, including Mozambique, South Africa, Tanzania, and Zambia. (21,27) Child victims of human trafficking may be charged for their clothing, food, housing, and transport. They may also be forced to work in debt bondage because of these charges and be unable to return home or support themselves. (20,28)

Girls from rural areas sometimes move to larger cities in search of work. In some cases, they are provided clothing and lodging from brothel owners and, if unable to find other work, engage in commercial sexual exploitation to pay off their debts. (1,13,20,27)

Primary education is tuition-free, and in September 2018, the government abolished secondary school fees to facilitate access to secondary education. However, considerable barriers to education exist, including families’ inability to pay required school-related expenses, such as books and uniforms. (1,21,29-31) Long distances, poor school infrastructure, and the lack of water, electricity, and sanitation facilities also negatively impact children’s attendance at school. In addition, safety concerns may negatively affect attendance; reports indicate that children are sometimes victims of sexual assault at school. (5,7,15,21,29,32,33) Additionally, many girls in grades six to eight are pulled from school to perform domestic work at home. (29)

Children with family members with HIV/AIDS may need to assume responsibility as heads of their households, including working to support their families. These children, especially those who are orphaned, are at increased risk of entering into the worst forms of child labor. (34)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Malawi 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	✓

Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 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 Malawi's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and the military recruitment by non-state actors.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Section 21 of the Employment Act (35)
Minimum Age for Hazardous Work	Yes	18	Section 22 of the Employment Act; Section 23 of the Constitution (35,36)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 1–9, and Paragraph 6, Sections 1–6 of the Employment (Prohibition of Hazardous Work for Children) Order (37)
Prohibition of Forced Labor	Yes		Section 4 of the Employment Act; Section 27 of the Constitution; Sections 140–147 and 257–269 of the Penal Code; Sections 79 and 82 of the Child Care, Protection and Justice Act; Section 15 of the Trafficking in Persons Act (35,36,38-40)
Prohibition of Child Trafficking	Yes		Sections 140–147 and 257–269 of the Penal Code; Section 79 of the Child Care, Protection and Justice Act; Section 15 of the Trafficking in Persons Act (38-40)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 137–138, 140, 142, 147, and 155 of the Penal Code; Sections 23 and 84 of the Child Care, Protection and Justice Act; Sections 15 and 20 of the Trafficking in Persons Act (38-40)
Prohibition of Using Children in Illicit Activities	Yes		Section 23 of the Child Care, Protection and Justice Act (38)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 19 of the Defense Force Act (41)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	18	Article 13 of the Education Act (30)
Free Public Education	Yes		Article 13 of the Education Act (30)

* No conscription (41)

Malawi currently lacks a legal framework for the tenancy system which is often used in tobacco production, and leaves children vulnerable to the worst forms of child labor. Families working under the tenancy system are particularly vulnerable to debt bondage because loans advanced to farmers operating under this arrangement are often of a higher value than the profits farmers receive from crop yields. (1,25,26,42,43) In 2018, the Cabinet debated an amendment to the Employment Act that would prohibit tenancy farming. However, the government decided to defer consideration of the amendment until the ILO completes a study on the extent of tenancy farming in Malawi. (29)

The government also passed the Tobacco Industry Bill 2018 which requires tobacco growers to report on issues of child labor. (44,45) Growers found using child labor may be subject to a fine of \$2,800 or imprisonment for up

Malawi

MODERATE ADVANCEMENT

to one year. The Commissioner may also cancel the registration of a tobacco grower if the grower fails to submit a report that is satisfactory. (46)

Section 21 of the Employment Act sets the minimum age for employment at age 14 in agricultural, industrial, or non-industrial work. (35) The minimum age is not extended to workers in third-party homes, such as in domestic work, or non-commercial agriculture in which children are known to work. (35) Although non-state armed groups are not known to recruit children for military activities in the country, Malawi law does not meet international standards because it does not explicitly prohibit this practice.

During the reporting period the government reviewed categorizations of hazardous work under the Occupational Safety, Health and Welfare Act, and determined that tasks associated with domestic work and non-commercial agriculture will not be categorized as hazardous. (29,46)

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 (MOL) 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 (MOL)	Performs inspections and investigates all labor complaints, including those related to child labor. (14) The Child Labor Unit monitors and implements child labor law compliance through child labor monitoring visits. (6,47)
District Labor Offices	Enforce the child labor laws at the district level. (14)
Malawi Police Service	Investigates suspected cases involving the worst forms of child labor. Analyzes and operationalizes systems to track trafficking trends. (48)
Ministry of Gender, Children, Disability and Social Welfare (MOG) Department of Child Development	Provides child protection and development services. (32)
Ministry of Homeland Security	Enforces human trafficking laws and prosecutes human trafficking offenses. (49)
Ministry of Justice and Constitutional Affairs	Prosecutes criminal offenders. (50)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Malawi took actions to combat child labor (Table 6). However, gaps exist within the operations of MOL that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	\$98,000 (29)
Number of Labor Inspectors	122 (1)	65 (47)
Inspectorate Authorized to Assess Penalties	Yes (1)	Yes (46)
Initial Training for New Labor Inspectors	Yes (51)	Yes (46)
Training on New Laws Related to Child Labor	No (1)	N/A (46)
Refresher Courses Provided	Yes (29)	Yes (29)
Number of Labor Inspections Conducted	Unknown	1,324 (29)
Number Conducted at Worksite	Unknown	556 (29)
Number of Child Labor Violations Found	Unknown	1,085 (29)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (29)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (29)
Routine Inspections Conducted	Unknown	Yes (29)
Routine Inspections Targeted	Unknown	Yes (29)
Unannounced Inspections Permitted	Yes (1)	Yes (29)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Unannounced Inspections Conducted	Unknown	Yes (29)
Complaint Mechanism Exists	Yes (1)	Yes (29)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (29)

During the reporting period, inspectors facilitated the removal of 1,085 victims of child labor and referred them to social services provided by the Ministry of Gender, Children and Social Welfare. Social services providers facilitated counseling for sexually abused children, placement in school for school-aged children, and vocational skills training for others. (29,46)

The number of labor inspectors is likely insufficient for the size of Malawi's workforce, which includes more than 7 million workers. (51) According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in least developed economies, Malawi would employ about 175 labor inspectors. (52,53) Enforcement of child labor laws remains challenging due to the lack of resources for inspections. (1,29,54)

In December 2018, the Employers Consultative Association of Malawi partnered with the MOL to develop and adopt a child labor code of conduct to better ensure private sector compliance with the government's efforts on the elimination of child labor. (29,46) The government supports a child protection helpline operated by an NGO that identifies cases of child sexual and labor exploitation. (20) Research did not find information on the number of calls related specifically to child labor.

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Malawi 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, 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	Yes (51)	Unknown (29)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (29)
Refresher Courses Provided	Unknown (1)	Unknown (29)
Number of Investigations	Unknown	Unknown (29)
Number of Violations Found	Unknown	Unknown (29)
Number of Prosecutions Initiated	Unknown	Unknown (29)
Number of Convictions	Unknown	Unknown (29)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (55)	Unknown (55)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (46)

Specialized units for child labor issues do not exist within the Malawi Police Service or the Directorate of Public Prosecutions, which may impede the ability of the government to enforce criminal laws related to child labor. (29) In addition, children who are the victims of commercial sexual exploitation are sometimes arrested by the police and detained alongside adults. In some instances, these children fall victim to abuse, including sexual extortion, by the police. (29)

Many children in Malawi lack birth certificates. The inability of law enforcement officials to verify the ages of child victims may have impeded efforts to prosecute traffickers under the Child Care, Protection and Justice Act and the Trafficking in Persons Act. (54)

MODERATE ADVANCEMENT

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 coordination efforts.

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

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Provides policy guidance to support the elimination of child labor and implementation of the National Action Plan on Child Labor. Chaired by the Ministry of Agriculture, includes representatives from government ministries, trade unions, employers, development partners, and civil society organizations. (17,34) The National Steering Committee on Child Labor did not meet in 2018. (55)
National Technical Working Group on Child Labor and Protection	Oversees child protection issues. Chaired by the MOG, includes representatives from the government, international organizations, development partners, and NGOs. (14,17,20) The National Technical Working Group met once during the reporting period. (55)
District Child Protection Committees	Coordinates all child protection activities at the district level and improve local coordination on child protection issues. (17,20) The District Child Protection Committees met regularly during the reporting period, and provided recommendations to District Executive Committees, which met once a month. (55)
National Coordination Committee Against Trafficking in Persons	Mandated by the Trafficking in Persons Act of 2015. (6) Coordinates and oversees investigations and prosecutions, training, victim care, and human trafficking data collection. (56) Met once in 2018. (54)

Although the government has established coordinating bodies to address child labor, research was unable to determine outcomes of coordination efforts and found no evidence that these bodies function as meaningful coordinating mechanisms.

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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Children's Policy	Aims to facilitate the coordination of all policies related to the needs of children to ensure child protection, including the prevention of child labor and trafficking. (57) The policy was finalized during the reporting period, and approved in January 2019. (47)
Child Protection Strategic Plan (2012–2018)	Outlines the responsibilities of MOL, Malawi Police Service, and MOG in coordinating efforts to combat child labor. (12,17,58) Between April and November 2018, an evaluation of the Child Protection Strategic Plan was conducted with support from UNICEF. The findings and recommendations from the evaluation will be used to develop a new child protection strategy, and refine UNDAF. (12,55)
National Action Plan for Vulnerable Children (2015–2019)	Provides a framework for the development of district implementation plans. (59,60) Research was unable to determine whether activities were undertaken to implement the National Action Plan for Vulnerable Children during the reporting period.
National Plan of Action Against Trafficking in Persons (2017–2022)	Outlines objectives to counter trafficking in persons: strengthen prevention; provide support and protection for victims; strengthen detection, investigation, and prosecution of offenses; encourage partnership and coordination; and conduct research, monitoring, and evaluation. (61,62) Research was unable to determine whether activities were undertaken to implement the National Plan of Action Against Trafficking in Persons during the reporting period.
UNDAF (2019–2023)	Recognizes child labor as a common constraint to the creation of decent and productive employment. Signed between the government and the UN in September 2018, proposes strategies to address child labor, including prioritizing investments in child education, ensuring schools are safe from violence, and providing vocational skills for out-of-school children. (12,63,64)

† 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.

In 2018, the government began reviewing the National Action Plan on Child Labor with technical assistance from the ILO, and anticipates launching the plan in 2019. (29,46) An evaluation concluded in November 2018 found that the Child Protection Strategic Plan target for reducing the prevalence of child labor has not been achieved. (12) The draft National Child Labor Policy, which would provide the government, civil society, and other partners

with a framework to implement child labor prevention programs and activities, is still undergoing national review that includes circulation among ministries. (1,6,14,17,30)

The government has not integrated child labor elimination and prevention strategies into either the National Youth Policy or the National Education Sector Plan. (65,66)

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 implementation.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Global Research on Child Labor Measurement and Policy Development (MAP)	USDOL-funded research project implemented by the ILO in 10 countries to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity of governments to conduct research in this area. (67) Additional information is available on the USDOL website.
Achieving Reduction of Child Labor in Support of Education II (ARISE) (2015–2018)	\$4.7 million Japan Tobacco International (JTI)-funded, 3-year project to promote economic empowerment, raise awareness of child labor, and provide education support. (68) In July 2018, the project partnered with Lilongwe University of Agriculture and Natural Resources to incorporate child labor issues into the curriculum. In October 2018, in conjunction with the Ministry of Education, developed a guide on establishing anti-child labor clubs, and trained teachers and established anti-child labor clubs in 18 schools reaching 5,789 children. (69) Supported the development of a code of conduct for employers on the elimination of child labor in Malawi, which was published in December 2018. (70) Project ended in December 2018. (29)
Child Labor Monitoring System†	MOL system in pilot districts that identifies working children. Collects various data including school attendance. (17) Research was unable to determine whether activities were undertaken to implement the Child Labor Monitoring System during the reporting period.
National Social Cash Transfer Program†	MOG program that supports low-income families in high-risk districts to enable children to stay in school. As of September 2017, 430,000 children participated in the program. (51) Research has shown a decrease in child labor rates among participants of this program. (71,72) Research was unable to determine whether activities were undertaken to implement the National Social Cash Transfer Program during the reporting period.
Complimentary Basic Education Program†	\$1.1 million government-funded project that promotes school enrollment for children who are removed from child labor. To date, an estimated 11,000 children have graduated from this program. (59)
Malawi Social Action Fund IV (2014–2019)	\$70 million, World Bank-funded, 5-year project that provides loans for community development and social support programs, including work opportunities, skill-building, and cash transfers. (17,59) To date the program has established 2 integrated and functional safety net delivery systems; reached 985,635 regular participants and 225,000 emergency response participants under the public works program; trained 24,208 people in livelihood and skills development activities; and formed and strengthened 5,241 Community Savings and Investment Promotion and other livelihood groups. (51)
Orphans and Vulnerable Children Intervention†	\$4.9 million, USAID and President's Emergency Plan for AIDS Relief-funded program that, in partnership with MOG, provides education, child protection services, birth registration, and shelter and care to vulnerable children from birth to age 17 through the establishment of Community Based Care Centers. (73) Research was unable to determine whether activities were undertaken to implement the Orphans and Vulnerable Children Intervention during the reporting period.
Girls Empowerment Programs	USAID-funded and Save the Children-implemented projects that focus on reducing structural and cultural barriers to girls' access to education. Projects include Let Girls Learn (2016–2021) and Girls' Empowerment through Education and Health Activity (2014–2018) in Balaka and Machinga districts. (6,73) In 2018, the Ministry of Education, Science and Technology, in conjunction with Save the Children, hosted a conference highlighting progress made in the implementation of the Inclusive Education in Malawi Program. (74) In 2018, with U.S. Government support, the Government of Malawi adopted an Adolescent Girls and Young Women strategy focusing on health, education, gender equality, and economic empowerment. (55,75)
Birth Registration Program†	EU and UNICEF-funded program that ensures nearly all health facilities in Lilongwe register children at birth and supports government electronic storage of birth data collected at the district level. The government's National Registration Bureau supports hospital birth registrations in Zomba and Mulanje districts. (20) The U.S. Centers for Disease Control and Prevention supports birth registration in Blantyre, Chitipa, and Ntcheu districts. (13) UNICEF supports birth registration in Lilongwe. (59) To date, efforts made to link national identification registration and birth registration databases to facilitate birth registration for children under age 16 have resulted in the registration of 4.5 million children. (55)

MODERATE ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
National Registration and ID Program†	\$50 million government and UNDP co-funded program that aims to register all Malawians. (76) In 2017, 9 million people over the age of 16 and 4.5 million under the age of 15 were registered. By July 2018, 90 percent of the national registration identity cards were distributed. (56,77)

† Program is funded by the Government of Malawi.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (14,78)

Although Malawi has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem in all relevant sectors, including agriculture and commercial sexual exploitation.

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 Malawi (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all forms of children's work, including work conducted by children in private homes (domestic service) and on non-commercial farms, receive legal protection, including a minimum age for work that complies with international standards.	2009 – 2018
	Raise the minimum age for work from 14 years to the age up to which education is compulsory.	2018
	Ensure legal protection for children working in the tenancy system.	2009 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
Enforcement	Publish information on the number of penalties that were imposed and collected for child labor violations.	2016 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2017 - 2018
	Increase resources to the labor inspectorate to conduct regular child labor inspections.	2009 – 2018
	Disaggregate data on child labor from child protection hotline calls and publish the information.	2014 – 2018
	Publish information on training for criminal law investigators and the number of investigations, violations, prosecutions, and convictions.	2013 – 2018
	Ensure that children who are engaged in commercial sexual exploitation are not arrested and detained.	2018
Coordination	Ensure all coordinating bodies are able to carry out their intended mandates.	2018
Government Policies	Ensure that activities are undertaken to implement key policies related to child labor.	2016 – 2018
	Renew the National Action Plan on Child Labor for Malawi.	2017 – 2018
	Integrate child labor elimination and prevention strategies into the National Education Sector Plan and the National Youth Policy.	2011 – 2018
Social Programs	Ensure that additional educational costs, exposure to sexual violence, and the impact of HIV/AIDS do not serve as barriers to education.	2012 – 2018
	Ensure that activities are undertaken to implement key programs related to child labor.	2017 – 2018
	Increase the scope of existing social programs to reach more children at risk of the worst forms of child labor; and develop specific programs to target children in agriculture and commercial sexual exploitation.	2011 – 2018
	Ensure all children are registered at birth, and increase efforts to register children who were not issued birth certificates at birth.	2018

REFERENCES

- 1 U.S. Embassy- Lilongwe official. Email communication to USDOL official. January 16, 2018.
- 2 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 3 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Labour Survey, 2015. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 4 ILO Committee of Experts. Individual Observation concerning Worst Form of Child Labor Convention, 1999 (No. 182) Malawi (ratification: 1999). 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3963492.

- 5 Malawi Congress of Trade Unions. Position Paper on: Child Labour and Forced Labour in the Tobacco and Tea Growing Area. May 21, 2018. Source on file.
- 6 U.S. Embassy- Lilongwe. Reporting. January 10, 2017.
- 7 Al Jazeera. Malawi's Children of Tobacco. January 16, 2014.
- 8 Mambucha, Tiyanjane. Winrock Against Child Labour in Tobacco Growing. Malawi News Agency, September 11, 2015. <http://allafrica.com/stories/201509140884.html>.
- 9 Calkins, Kelley. Tobacco and Child Labor in Malawi. Borgen Magazine, January 29, 2014. <http://www.borgenmagazine.com/tobacco-child-labor-malawi/>.
- 10 UN Development Group. Draft 2015 UNDAF Annual UN Report. New York, 2016. Source on File.
- 11 Kang'ombe, B. Magnitude of Child Labour Not Known in Malawi. Capital Radio Malawi. May 24, 2016. <http://www.capitalradiomalawi.com/news/item/6264-magnitude-of-child-labour-not-known-in-malawi>.
- 12 Zegers, Mei. Evaluation of Malawi Child Protection Strategy 2012-2018. UNICEF Malawi. November 2018. https://www.unicef.org/evaldatabase/files/Malawi-2018-001-CPS_Final_Evaluation_Report.pdf.
- 13 U.S. Department of State. Trafficking in Persons Report- 2018. Malawi. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/malawi/>.
- 14 U.S. Embassy- Lilongwe. Reporting. February 28, 2014.
- 15 ILO, Fundamental Principles and Rights at Work Branch. Understanding child labour and youth employment in Malaqi. Geneva: ILO, September 2018. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecl/documents/publication/wcms_651037.pdf.
- 16 Centre for Social Concern Malawi. Tobacco Production and Tenancy Labour in Malawi. January 12, 2015. <http://www.laborrights.org/publications/tobacco-production-and-tenancy-labour-malawi>.
- 17 U.S. Embassy- Lilongwe. Reporting. January 26, 2015.
- 18 Chitosi, Kondwani. Lilongwe and Kasungu in Joint Child Labour Sweeping Exercise. Malawi News Agency, August 27, 2015. <http://www.manaonline.gov.mw/index.php/component/k2/item/3497-lilongwe-and-kasungu-in-joint-child-labour-sweeping-exercise>.
- 19 Malawi News Now. Lilongwe Registers Increase in Child Prostitution. August 1, 2015. <http://malawinewsnow.com/2015/08/lilongwe-registers-increase-in-child-prostitution/>.
- 20 U.S. Embassy- Lilongwe. Reporting. March 7, 2014.
- 21 UN Committee on the Elimination of Discrimination against Women. List of Issues and Questions in Relation to the Seventh Periodic Report: Malawi. Geneva, March 16, 2015. CEDAW/C/MW/I/Q/7. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/MW/I/Q/7&Lang=en.
- 22 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Malawi (ratification: 1999). Published: 2018. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3339648:NO.
- 23 Boseley, Sarah. The children working the tobacco fields: 'I wanted to be a nurse'. The Guardian, June 25, 2018. <https://www.theguardian.com/world/ng-interactive/2018/jun/25/tobacco-industry-child-labour-malawi-special-report>.
- 24 Chirambo, Rodrick. The Burley Tobacco Value Chain Analysis Report. Centre for Social Concern, January 2018. Source on file.
- 25 ILO Committee of Experts. Individual Direct Request concerning Forced Labor Convention, 1930 (No. 29) Malawi (ratification: 1999). Published: 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3147017:NO.
- 26 ILO Committee of Experts. Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Malawi (ratification: 1999). Published: 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3176780:YES.
- 27 U.S. Embassy- Lilongwe official. Email communication to USDOL official. May 4, 2016.
- 28 ILO Committee of Experts. Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Malawi (ratification: 1999). Published: 2018. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298802.
- 29 U.S. Embassy- Lilongwe. Reporting. January 31, 2019.
- 30 Government of Malawi. Education Act. Enacted: 2013. Source on file.
- 31 Nyale, Enelless. Govt abolishes secondary school fees. The Nation. September 26, 2018. <https://mw.nation.com/govt-abolishes-secondary-school-fees/>.
- 32 Government of Malawi. Ministry of Gender, Children, Disability, and Social Welfare. Accessed February 24, 2015. <http://www.gender.gov.mw/index.php/result-areas/2013-08-19-11-47-54/departement-of-child-development>.
- 33 Government of Malawi. National Plan of Action to Combat Gender-Based Violence in Malawi. July 2014. <http://www.togetherforgirls.org/wp-content/uploads/2017/10/National-Plan-of-Action-to-Combat-Gender-Based-Violence-in-Malawi-2014-2020.pdf>.
- 34 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Malawi (ratification: 1999). Published: 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963489.
- 35 Government of Malawi. Employment Act No. 6. Enacted: May 14, 2000. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/58791/65218/E00MWWIoI.htm>.
- 36 Government of Malawi. Constitution of the Republic of Malawi. Enacted: 2004. [http://www.google.com/url?sa=t&rc=1&q=&esrc=s&frm=1&source=web&cd=1&sqj=2&ved=0CCAQFjAA&url=http://www.icrc.org/ihl-nat.nsf/0/4953f2286ef1f7c2c1257129003696f4/\\$FILE/Constitution%20Malawi%20-%20EN.pdf&ei=gw2WU6fvHuuf7Aasu4GACA&usq=](http://www.google.com/url?sa=t&rc=1&q=&esrc=s&frm=1&source=web&cd=1&sqj=2&ved=0CCAQFjAA&url=http://www.icrc.org/ihl-nat.nsf/0/4953f2286ef1f7c2c1257129003696f4/$FILE/Constitution%20Malawi%20-%20EN.pdf&ei=gw2WU6fvHuuf7Aasu4GACA&usq=).
- 37 Government of Malawi. Employment Act, Employment (Prohibition of Hazardous Work for Children) Order, 2012, Cap. 55:02. Enacted: February 17, 2012. Source on File.
- 38 Government of Malawi. Child Care, Protection and Justice Act, No. 22. Enacted: July 29, 2010. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/90369/104130/F179063148/MW190369.pdf>.
- 39 Government of Malawi. Penal Code, Chapter 7:01. Enacted: April 1, 1930. [http://iglhrc.org/sites/default/files/Malawi Penal Code 7-01.pdf](http://iglhrc.org/sites/default/files/Malawi%20Penal%20Code%207-01.pdf).
- 40 Government of Malawi. Trafficking in Persons Act. Enacted: 2015. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/99187/118283/F-139474004/MW1991871.pdf>.
- 41 Government of Malawi. Defence Force. Enacted: May 14, 2000. <http://www.sdn.org.mw/constitut/chapter16.html>.
- 42 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Malawi (ratification: 1999). Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13101:0::NO:13101:P13101_COMMENT_ID:3251609.
- 43 ILO Committee of Experts. Individual Observation concerning Forced Labor Convention, 1930 (No. 29) Malawi (ratification: 1999). 2019. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:P13100_COMMENT_ID:3953530.

MODERATE ADVANCEMENT

- 44 Government of Malawi. Report of Parliamentary Joint Committee on Agriculture, Irrigation and Water Development, Legal Affairs, Trade and Industry, Commissions and Statutory Corporation, Health, and Natural Resources and Climate Change on the Analysis of Bill No. 12 of 2018: Tobacco Industry. November 2018. Source on file.
- 45 Government of Malawi. Tobacco Industry Bill, 2018. Lilongwe. May 25, 2018. Source on file.
- 46 U.S. Embassy- Lilongwe official. Email communication to USDOL official. March 25, 2019.
- 47 U.S. Embassy- Lilongwe official. Email communication to USDOL official. May 15, 2019.
- 48 U.S. Embassy- Lilongwe. Reporting. February 9, 2017.
- 49 U.S. Embassy- Lilongwe. Reporting. January 26, 2016.
- 50 Government of Malawi. Malawi Ministry of Justice and Constitutional Affairs. Accessed February 24, 2015.
<http://www.justice.gov.mw/index.php/about-us/vision-and-mission>.
- 51 U.S. Embassy- Lilongwe official. Email communication to USDOL official. May 22, 2018.
- 52 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 53 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
http://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 54 U.S. Embassy- Lilongwe. Reporting. March 1, 2019.
- 55 U.S. Embassy- Lilongwe official. Email communication to USDOL official. July 11, 2019.
- 56 U.S. Embassy- Lilongwe. Reporting. February 13, 2018.
- 57 Government of Malawi. National Children's Policy. January 2019. Source on file.
- 58 UNICEF. Malawi Child Protection Strategy. 2012–2016. Source on file.
- 59 U.S. Embassy- Lilongwe. Reporting. January 19, 2016.
- 60 Government of Malawi. National Plan of Action for Vulnerable Children in Malawi. 2015. Source on file.
- 61 UNODC. Malawi launches National Plan of Action against Trafficking in Persons. August 2017.
https://www.unodc.org/documents/southernafrica/Stories/Webstory_on_the_National_Plan_of_Action_against_Trafficking_in_Persons_ZA.pdf.
- 62 Government of Malawi. National Plan of Action Against Trafficking In Persons. 2017–2022. Source on file.
- 63 United Nations in Malawi. The United Nations Development Assistance Framework Malawi 2019–2023. May 17, 2018.
<https://www.unicef.org/about/execboard/files/Malawi-UNDAF-2019-2023-17May2018.pdf>.
- 64 UN. UN, Malawi Govt sign the new UNDAF 2019-2023. September 19, 2018.
<https://mw.one.un.org/un-malawi-govt-sign-the-new-undaf-2019-2023/>.
- 65 Ministry of Education, Science, and Technology. National Education Sector Plan 2008–2017. Lilongwe, June 2008.
<http://www.sdn.org.mw/Education2010/FinalNesp.pdf>.
- 66 Ministry of Education, Science, and Technology. National Youth Policy. Lilongwe, August 2013.
http://www.youthpolicy.org/national/Malawi_2013_National_Youth_Policy.pdf.
- 67 ILO-IPEC. Global Research on Child Labor: Measurement and Policy Development (MAP). Geneva, April 2017: Technical Progress Report. Source on file.
- 68 ILO-IPEC. ARISE II - Global Training Programme: Elimination of child labour in tobacco-growing communities. Geneva, 2015.
http://www.ilo.org/ipec/projects/global/WCMS_355736/lang-en/index.htm.
- 69 Japan Tobacco International. Further Together: ARISE Annual Review 2018. Geneva. June 2019.
<https://www.jti.com/sites/default/files/global-files/documents/related-documents/JTI5672-19-ARISE-AR2018-ALL-FINAL-LR.pdf>.
- 70 Employers' Consultative Association of Malawi. Code of Conduct for Employers on the Elimination of Child Labor in Malawi. Blantyre. 2018. Source on file.
- 71 Abdoulayi, Sara, et al. 2016 Malawi: Malawi Social Cash Transfer Programme Endline Impact Evaluation Report. UNICEF, 2016.
- 72 Handa, Sudhanshu, et al. Impact of the Malawi Social Cash Transfer. University of North Carolina at Chapel Hill Carolina Population Center, August 2016.
<https://transfer.cpc.unc.edu/wp-content/uploads/2015/09/Malawi-Endline-Resilience-Aug-2016.pdf>.
- 73 USAID. Malawi - 2015 Fact Sheets. Washington, DC, February 2015. Source on file.
- 74 Save the Children. Save the Children Hosts the National Inclusive Education Conference. September 13, 2018.
<https://malawi.savethechildren.net/news/save-children-hosts-national-inclusive-education-conference>.
- 75 USAID. USAID Supported National Strategy of Adolescent Girls and Young Women Launched. August 24, 2018.
<https://www.usaid.gov/malawi/news/usaid-supported-national-strategy-adolescent-girls-and-young-women-launched>.
- 76 U.S. Embassy- Lilongwe official. Email communication to USDOL official. May 1, 2017.
- 77 Khamula, Owen. National Registration Bureau distributes 90% of national IDs. Nyasa Times. July 25, 2018.
<https://www.nyasatimes.com/national-registration-bureau-distributes-90-of-national-ids/>.
- 78 WFP. Promoting Sustainable School Meals. April 2018, 2018.
https://docs.wfp.org/api/documents/WFP-0000073218/download/?_ga=2.204951696.1616830882.1564432892-812763964.1564432892.

In 2018, Maldives made a minimal advancement in efforts to eliminate the worst forms of child labor. The Maldives Police Service conducted awareness-raising programs for 36 guesthouse operators and resort managers on protecting children from commercial sexual exploitation within the tourism industry. Although research is limited, there is evidence that children in Maldives engage in the worst forms of child labor, including in forced labor in domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking. The government has not determined specific hazardous occupations or activities that are prohibited for children, and the law does not sufficiently prohibit commercial sexual exploitation of children. Moreover, the government does not have a coordinating mechanism, policy, or program that addresses all relevant worst forms of child labor in the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Maldives engage in the worst forms of child labor, including in forced labor in domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking. (1-3) Table 1 provides key indicators on children's work and education in Maldives. 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	3.9 (2,364)
Attending School (%)	5 to 14	79.5
Combining Work and School (%)	7 to 14	4.0
Primary Completion Rate (%)		94.7

Source for primary completion rate: Data from 2017, 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, 2009. (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
Services	Domestic work (1,2)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3)
	Forced labor in domestic work, sometimes as a result of human trafficking (1-3)
	Use in the trafficking of drugs (6)

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

No current data are available on child labor in Maldives, and a national survey on child labor has not been conducted. Maldivian children from the outer islands are brought to the capital, Malé, for domestic work. Some of these children are reported to be victims of forced labor and sexual abuse. (2) In addition, some girls from Bangladesh and Maldives are trafficked for commercial sexual exploitation to Maldives. (2) There also are some reports of foreign tourists engaging in commercial sexual exploitation of children. (3)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

MINIMAL ADVANCEMENT

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 Maldives' legal framework to adequately protect children from the worst forms of child labor, including determining the types of hazardous work prohibited for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Section 6 of the Employment Act (7)
Minimum Age for Hazardous Work	Yes	18	Section 7 of the Employment Act (7)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Section 3 of the Employment Act; Sections 12–16 of the Prevention of Human Trafficking Act (7,8)
Prohibition of Child Trafficking	Yes		Sections 12–15 of the Prevention of Human Trafficking Act (8)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 17–19 of the Special Provisions Act to Deal with Child Sex Abuse Offenders (9)
Prohibition of Using Children in Illicit Activities	Yes		Section 133(c)(1) of the Drugs Act (10)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Law on the Protection of the Rights of Children (11)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 36(b) of the Constitution of the Republic of Maldives; Article 5(b) of the Law on the Protection of the Rights of Children (11,12)
Free Public Education	Yes		Article 36(b) of the Constitution of the Republic of Maldives; Article 5(b) of the Law on the Protection of the Rights of Children (11,12)

* No conscription (13)

The law does not prohibit using, procuring, and offering children for pornographic performances. (9) In addition, the recruitment of children by non-state armed groups is not prohibited.

Research did not uncover an English version of the 2014 amendment to the Law on the Protection of the Rights of Children for review.

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 Labor Relations Authority (LRA) that may hinder adequate enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Labor Relations Authority, Ministry of Economic Development (MED)	Enforces the Employment Act, including child labor provisions. Conducts labor inspections and issues fines for violations. (6,7)
Family and Child Protection Department, Maldives Police Service (MPS)	Investigates complaints of child labor and commercial sexual exploitation. Refers cases to the Prosecutor General's Office for prosecution and the Ministry of Gender and Family to provide victim services. (11) Employs eight officers in Malé to investigate child labor cases, including child commercial sexual exploitation and child pornography cases. (11)
Family and Child Protection Services, Ministry of Gender and Family	Receives referrals of children who have been exploited, including in commercial sexual exploitation and drug trafficking, and provides care for such victims. (6)
Anti-Human Trafficking Department, MPS	Investigates human trafficking-related offenses and enforces laws prohibiting trafficking in persons. Employs five officers to investigate human trafficking cases. (2,11)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Maldives took actions to combat child labor (Table 6). However, gaps exist within the operations of the LRA that may hinder adequate labor law enforcement, including the lack of referral mechanisms.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (14)	\$547,747 (6)
Number of Labor Inspectors	13 (14)	17 (6)
Inspectorate Authorized to Assess Penalties	Yes (14)	Yes (6)
Initial Training for New Labor Inspectors	No (14)	No (6)
Training on New Laws Related to Child Labor	N/A (14)	N/A
Refresher Courses Provided	No (14)	No (6)
Number of Labor Inspections Conducted	288 (14)	356 (6)
Number Conducted at Worksite	288 (14)	356 (6)
Number of Child Labor Violations Found	0 (14)	0 (6)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (14)	N/A (6)
Number of Child Labor Penalties Imposed that Were Collected	N/A (14)	N/A (6)
Routine Inspections Conducted	Yes (14)	Yes (6)
Routine Inspections Targeted	Unknown (14)	Yes (6)
Unannounced Inspections Permitted	Yes (14)	Yes (6)
Unannounced Inspections Conducted	No (14)	Yes (6)
Complaint Mechanism Exists	Yes (14)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (14)	No (6)

The LRA lacks the financial and human resources necessary to adequately conduct inspections. Inspectors also have not received training on the identification and remediation of child labor. (6,15) In addition, although the labor inspectorate is authorized to assess penalties, no fines were issued in practice due to a lack of coordination between the LRA and the Maldives Inland Revenue Authority, which has the mandate to receive the payment of the fines. (6,7)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Maldives took actions to combat child labor (Table 7). However, gaps exist within the operations of the Family and Child Protection Department of the Maldives Police Service (MPS) that may hinder adequate criminal law enforcement, including lack of resources for investigators.

MINIMAL ADVANCEMENT

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	No (14)	Yes (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (14)	N/A
Refresher Courses Provided	N/A (14)	Yes (6)
Number of Investigations	21 (14)	1 (6)
Number of Violations Found	Unknown (14)	0 (6)
Number of Prosecutions Initiated	Unknown (14)	0 (6)
Number of Convictions	0 (14)	0 (6)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (14)	Yes (6)

Investigators have insufficient funding and resources, such as office facilities and transportation. (14) Police and other officials also have inadequate training on procedures for identifying human trafficking victims and providing referrals to protective services, including for children. (2)

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 all forms of child labor.

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

Coordinating Body	Role & Description
Anti-Human Trafficking National Steering Committee	Manages all anti-human trafficking activities and implements the country's Anti-Human Trafficking National Action Plan. Chaired by MED leadership and consists of 11 participating government agencies. (3,8)

Research found no evidence of mechanisms to coordinate efforts to address all child labor, including its worst forms. Although the government has established the Anti-Human Trafficking National Steering Committee, this coordinating mechanism did not meet during the reporting period. It is reported that the failure of this steering committee to meet during this time has delayed the adoption of standard operating procedures for the identification, protection, and referral of victims. (3)

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 coverage of all forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Anti-Human Trafficking National Action Plan (2015–2019)	Establishes the government's goals to combat human trafficking, including establishing institutions, coordinating activities, raising awareness, and building capacity. (16)

Reporting indicates that little progress was made to implement the Anti-Human Trafficking National Action Plan during the reporting period and the Anti-Human Trafficking National Steering Committee failed to monitor its implementation. (3) Research also found no evidence of a policy designed to specifically address child labor.

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 adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Family and Child Service Centers†	Nineteen Ministry of Gender and Family-operated centers that provide psychosocial support for child victims of abuse and exploitation, four of which provide temporary shelter for victims. (14)
National Victim Support Hotline (Number 1696)†	MED-operated hotline dedicated to receiving reports of human trafficking and child labor. Supported by the MPS and Maldives Immigration. (17)
Child Helpline (Number 1412)†	Ministry of Gender and Family-operated helpline established with the support of the MPS and UNICEF to receive reports of child abuse cases. (14)

† Program is funded by the Government of Maldives.

In 2018, the MPS conducted awareness-raising programs for 36 guesthouse operators and resort managers on protecting children from commercial sexual exploitation within the tourism industry. (6,18) However, Family and Child Services centers and shelters lack adequate financial and human resources, and staff are inadequately trained to deal with cases involving abused and exploited children. (14) In addition, research was unable to determine what activities were undertaken during the reporting period to implement existing social programs. These programs also do not specifically address the commercial sexual exploitation of children, use of children for drug trafficking, or forced labor in domestic work.

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 Maldives (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2009 – 2018
	Criminally prohibit all forms of commercial sexual exploitation of children, including procuring, offering, and using children for pornographic performances.	2016 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Publish the 2014 amendment to the Law on the Protection of the Rights of Children.	2016 – 2018
Enforcement	Ensure that the labor inspectorate receives training that specifically focuses on child labor issues, including training for new employees.	2009 – 2018
	Establish a referral mechanism between labor authorities and social services.	2016 – 2018
	Ensure that the labor inspectorate receives sufficient resources to enforce child labor laws.	2017 – 2018
	Provide sufficient funding and training to the police and prosecutors, and ensure that investigators have the resources necessary to enforce laws on the worst forms of child labor.	2013 – 2018
Coordination	Establish a coordination mechanism to combat child labor.	2009 – 2018
	Ensure that the Anti-Human Trafficking National Steering Committee meets to fulfill its mandates as required by law.	2018
Government Policies	Ensure that the Anti-Human Trafficking National Action Plan is being implemented and its implementation is monitored.	2018
	Adopt a policy to address the worst forms of child labor.	2014 – 2018
Social Programs	Conduct and publish research on the worst forms of child labor, including commercial sexual exploitation and trafficking of children.	2009 – 2018
	Conduct a national child labor survey and publish the results.	2014 – 2018
	Provide sufficient funding, human resources, and staff training for Family and Child Service centers and shelters that serve abused and exploited children.	2018
	Publish information about activities that were undertaken to implement social programs, including the national hotlines.	2017 – 2018
	Implement and provide sufficient resources for programs that address the worst forms of child labor, including the commercial sexual exploitation of children, the use of children for drug trafficking, and forced labor in domestic work.	2009 – 2018

MINIMAL ADVANCEMENT

REFERENCES

- 1 Human Rights Commission Maldives. Submission to the Universal Periodic Review of the Maldives, April–May 2015. September 2014. http://www.hrcm.org.mv/Publications/otherdocuments/UPR_submission_Sept_2014.pdf.
- 2 U.S. Department of State. Trafficking in Persons Report- 2018: Maldives Washington, DC: June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/maldives/>.
- 3 U.S. Embassy- Colombo. Reporting. March 7, 2019.
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report. <http://www.uis.unesco.org/>.
- 5 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey, 2009. Analysis received March 12, 2019. Please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 6 U.S. Embassy- Colombo. Reporting. March 7, 2019.
- 7 Government of the Maldives. Employment Act (unofficial translation). Enacted: October 13, 2008. http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/85764/96218/F1772069692/MDV85764_English.pdf.
- 8 Government of the Maldives. Prevention of Human Trafficking Act, Law No: 12/2014. Enacted: December 8, 2013. Source on file.
- 9 Government of the Maldives. Special Provisions Act to Deal with Child Sex Abuse Offenders, Act Number 12/2009. Enacted: 2009. Source on file.
- 10 Government of the Maldives. Drugs Act. Enacted: 1991. <http://www.drugcourt.gov.mv/documents/laws/17-2011-Drug-Act-Translation.pdf>.
- 11 U.S. Embassy- Colombo. Reporting. January 9, 2017.
- 12 Government of the Maldives. Constitution of the Republic of Maldives. Enacted: 2008. <http://www.maldivesinfo.gov.mv/home/upload/downloads/Compilation.pdf>.
- 13 CIA. The World Factbook. Accessed June 24, 2019. <https://www.cia.gov/library/publications/the-world-factbook/geos/mv.html>.
- 14 U.S. Embassy- Colombo. Reporting. January 12, 2018.
- 15 UNCRC. Concluding Observations on the Combined Fourth and Fifth Periodic Reports of Maldives Geneva. March 14, 2016. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/MDV/CO/4-5&Lang=en.
- 16 Government of Maldives. Anti-Human Trafficking National Action Plan 2015–2019. Source on file.
- 17 Ministry of Economic Development. Labour and Migration. Republic of Maldives. March 2016. <http://www.trade.gov.mv/dms/199/1460879386.pdf>.
- 18 U.S. Embassy-Colombo official. Email communication to USDOL official. March 15, 2019.

In 2018, Mali made a moderate advancement in efforts to eliminate the worst forms of child labor. The government finalized the National Action Plan to Combat Trafficking of Persons and allocated a budget of \$10 million over 5 years for implementation. The government also convicted 1 perpetrator for attempting to traffic 3 children to Cote d'Ivoire and provided services to 53 victims of child soldiering, of which 21 were reunited with their families. Finally, under the National Policy for Promotion and Protection of Children, the government conducted activities to increase birth registration. However, children in Mali engage in the worst forms of child labor, including in hereditary slavery and in armed conflict. Children also perform dangerous tasks in agriculture, particularly in the production of cotton and rice. Mali's law does not comprehensively prohibit hereditary slavery in cases where recruitment, transport, transfer, harboring, or receipt of a person is not involved nor does the law explicitly prohibit using, procuring, or offering children for illicit activities. In addition, resource constraints severely limited the government's ability to fully implement the National Plan to Combat Child Labor, and existing social programs are insufficient to adequately address the extent of the problem, particularly in artisanal gold mining, hereditary slavery, and debt bondage.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mali engage in the worst forms of child labor, including in hereditary slavery and in armed conflict. (1-5) Children also perform dangerous tasks in agriculture, particularly in the production of cotton and rice. (2,6) Table 1 provides key indicators on children's work and education in Mali. 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	25.1 (1,216,300)
Attending School (%)	5 to 14	46.0
Combining Work and School (%)	7 to 14	13.4
Primary Completion Rate (%)		49.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey, 2012–2013. (8)

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	Cultivating,† harvesting,† ginning,† transporting,† and applying chemical fertilizers,† particularly in the production of cotton and rice (2,6,9)
	Raising livestock,† including oxen and small ruminants (6,10,11)
	Fishing† (6,10)
Industry	Artisanal gold mining,† including digging shafts,† extracting ore from underground tunnels,† crushing ore,† and amalgamating ore with mercury† (2,12-15)
	Assembling fishing canoes† (6)

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Domestic work† (2,16,17)
	Street work,† including as market vendors,† beggars,† and in the transportation sector (2,6,17,18)
Categorical Worst Forms of Child Labor‡	Forced labor in artisanal mining, domestic work, street work, production of salt, and farming, including in the production of rice, each sometimes as a result of human trafficking (5,19)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,19-22)
	Forced recruitment by armed rebel and extremist Islamic militia groups for use in armed conflict (2,4,23-25)
	Hereditary slavery (1,17,19,27)
	Forced begging by Koranic teachers, sometimes as a result of human trafficking (2,12,19)

† 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.

Children, especially of the Bellah community (also known as black Tuaregs), are subject to hereditary slavery in northern Mali. (1,17,19,27) Some children are born into slavery, while others are born free, but remain in dependent status through which they are forced to work with their parents for their former masters in exchange for food, money, and lodging. Child slaves perform agricultural or domestic labor and are often sexually abused. (19,28) In addition, children, particularly those of Songhai ethnicity, work in debt bondage in the northern salt mines of Taoudenni. (19,29)

Children involved in artisanal gold mining in western and southern Mali are exposed to toxic substances and extreme temperatures, transport heavy loads, and work long hours. (2,12-15) Some boys placed in the care of Koranic teachers for education are forced by their teachers to beg on the street or to work in fields, after which they must then surrender the money they have earned to their teachers. (2,12,19,29)

In 2018, intermittent fighting and violence in central and northern Mali continued, resulting in the killing and displacement of children. (14,19,23,26,30) Although the incidence of child soldiers decreased during the reporting period, children continued to be forcibly recruited and trained by non-state armed groups, including the Coordination of Movements for Azawad, the National Movement for the Liberation of Azawad, the High Council for the Unity of Azawad, the Arab Movement of Azawad, and Tuareg Imghad and Allies Self-Defense Group (GATIA), all signatories of the 2015 Peace Accord. (4,25,30) Research found evidence of ties between the government and GATIA, a non-state armed group led by a Malian general, including the provision of in-kind support to GATIA. (2,5,31,32) In 2018, the Directorate for the Promotion of Children and Family (DPCF) within the Ministry for the Promotion of Women, Children, and Family (MPFEF) reported identifying 53 cases of children used by armed groups, and other cases of forced recruitment of child soldiers during the reporting period are being confirmed. DPCF reported that there are cases of children who previously returned to their families but were recruited again by armed groups. (33)

Although the Constitution guarantees free and compulsory education, many children, especially girls, do not attend school because parents are expected to pay fees for registration, uniforms, books, and materials, which are prohibitive for many impoverished families. (2,17,29,34,35) Many children in Mali are not registered at birth. Unable to present their birth certificate, unregistered children may have difficulty accessing services, including education. (2,29,36,37) In addition, evidence suggests that incidences of physical, psychological, and sexual abuse, including corporal punishment, prevent some children from remaining in school. (17,29,38) During the reporting period, numerous attacks on schools in northern Mali resulted in lootings, destruction of learning materials and infrastructure, and occupancy of school facilities by armed groups. (2,4,14,23,24,39-41) Many teachers and students remained displaced, and some teachers in insecure areas felt that it was unsafe to return to school. (2,14,42) In addition, during the reporting period, 735 schools remained closed, preventing 225,000 children from accessing education due to continuing conflict and displacement. (43-45) Beginning in December 2018, the majority of primary and secondary school teachers throughout the country went on a series of non-continuous strikes causing many schools to close. The strikes ended in May 2019, and the Ministry of Education

extended the school year until July 2019 in order to salvage the school year. (46-48) The lack of access to education and lack of teacher availability may increase the risk of children's involvement in the worst forms of child labor. (40)

II. Legal Framework for Child Labor

Mali 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 Mali's legal framework to adequately protect children from the worst forms of child labor, including recruitment by non-state armed groups and using children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article L.187 of the Law 2017-021 modifying the Labor Code (49)
Minimum Age for Hazardous Work	Yes	18	Hazardous Occupations List; Article 1 of the 2017-4388 Amendment to Hazardous Occupations List; Article D.189.14 of the Labor Code (50-52)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations List; Article 1 of the 2017-4388 Amendment to Hazardous Occupations List; Article 189 of the Labor Code (50-52)
Prohibition of Forced Labor	No		Article L.6 of the Law 2017-021 modifying the Labor Code; Article 1 of the Trafficking in Persons Law (49,53)
Prohibition of Child Trafficking	Yes		Article 244 of the Penal Code; Article 7 of the Trafficking in Persons Law; Article 63 of the Child Protection Code (53-55)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 228 of the Penal Code; Article 1 and 7 of the Trafficking in Persons Law; Article 57 of the Child Protection Code (53-55)
Prohibition of Using Children in Illicit Activities	No		Article 183 of the Penal Code; Articles 18 and 50 of the Child Protection Code (54,55)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 17 of the Child Protection Code; Articles 31.23 and 31.31 of the Penal Code; Article 5 of the Military General Statute (54-56)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 17 of the Child Protection Code; Articles 31.23 and 31.31 of the Penal Code; Article 5 of the Military General Statute (54-56)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 31.23, 31.31, and 32 of the Penal Code (54)
Compulsory Education Age	Yes	15‡	Articles 26 and 34 of the Law of Education (57)
Free Public Education	Yes		Article 18 of the Constitution (58)

‡ Age calculated based on available information (54)

The Labor Code allows children between the ages of 12 and 14 to perform domestic or light seasonal work, as long as it does not impede school attendance or exceed 4.5 hours of work per day. (50) However, the law

Mali

MODERATE ADVANCEMENT

does not specify the conditions under which light work may be undertaken. (49,59) Although, Mali's Trafficking in Persons Law criminalizes slavery that occurs as a result of trafficking, it does not criminalize hereditary slavery in cases which do not involve the recruitment, transport, transfer, harboring, or receipt of a person. In addition, Malian law does not prohibit using, procuring, or offering a child for the production and trafficking of drugs as established by international standards. (1,2,20,53,55)

The Child Protection Code provides protection for children under age 18, while the Penal Code establishes criminal penalties for several of the worst forms of child labor. For example, Articles 50 and 58 of the Child Protection Code identify begging as a form of economic exploitation of children, while Article 183 of the Penal Code specifies punishments for engaging a child in begging. (12,54,55) However, the Penal Code does not provide penalties for some of the prohibitions enumerated in the Child Protection Code. (54,55) Specifically, Article 17 of the Child Protection Code prohibits children under age 18 from participating in armed conflicts or joining the armed forces, yet Articles 31.23 and 31.31 of the Penal Code provide criminal penalties only for those recruiting and enlisting children under age 15. (54,55,60)

The Inter-Ministerial Circular on the Prevention, Protection, and Rehabilitation of Child Soldiers references Article 28 of the Penal Code, which states that crimes committed out of self-defense or under a force that could not be resisted should not be penalized as prescribed by the Penal Code. Although the Inter-Ministerial Circular states that Article 28 of the Penal Code is applicable to children involved in armed conflict, the Circular does not define the age range of the children it covers. (54,61) Considering the non-existence of criminal penalties in the Child Protection Code and the lack of criminal penalties in the Penal Code for those who recruit and enlist children ages 15 and older, the absence of a defined age range in this Inter-Ministerial Circular may leave children ages 15 to 17 unprotected. (54,61)

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 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's National Directorate of Labor	Enforces labor laws and investigates Labor Code infractions, including those regarding child labor. (29,62,63)
Ministry of Justice	Initiates and coordinates with courts the implementation of laws related to the worst forms of child labor. (19,62)
Ministry of Internal Security's Police Brigade for the Protection of Morals and Children	Investigates crimes against children, including human trafficking and commercial sexual exploitation. (2,19)
Ministry for the Promotion of Women, Children, and the Family (MPFEF)	Develops and implements programs to protect vulnerable children and to monitor alleged violations of child labor laws, including those related to the worst forms of child labor. (34,62,63)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Mali took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate labor law enforcement, including insufficient financial and human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$71,942 (2)	\$70,000 (33)
Number of Labor Inspectors	109 (2)	109 (33)
Inspectorate Authorized to Assess Penalties	Yes (2)	Yes (33)
Initial Training for New Labor Inspectors	No (2)	Yes (33)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Training on New Laws Related to Child Labor	No (2)	No (33)
Refresher Courses Provided	Yes (2)	Yes (33)
Number of Labor Inspections Conducted	792 (33)	Unknown (33)
Number Conducted at Worksite	Unknown (2)	Unknown (33)
Number of Child Labor Violations Found	Unknown (2)	Unknown (33)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (2)	Unknown (33)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (2)	Unknown (33)
Routine Inspections Conducted	Yes (2)	Unknown (33)
Routine Inspections Targeted	Yes (2)	Unknown (33)
Unannounced Inspections Permitted	Yes (2)	Yes (33)
Unannounced Inspections Conducted	Yes (2)	Unknown (33)
Complaint Mechanism Exists	Yes (2)	Yes (33)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (33)

In 2018, the National Directorate of Labor employed 70 inspectors and 39 controllers, of which 3 inspectors and 12 controllers were dedicated to child labor. The number of labor inspectors is likely insufficient for the size of Mali's workforce, which includes approximately 6.5 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed countries, Mali would employ about 161 inspectors. (33,64-66) One labor inspector in each region is designated as the point of contact for the National Unit to Fight Against Child Labor (CNLTE) to facilitate regional coordination. Although all regions have labor inspectors, government services are limited or non-existent in some areas due to the insecurity caused by the presence of non-state armed groups. (2,33) According to the Government of Mali, increasing decentralization efforts have allowed ministry funds to be allocated to regional labor inspectorates so that they can carry out inspections. Despite this, only three regional directorates have vehicles to carry out inspections, and the CNLTE lacks a vehicle for its services. (33) In addition, reports indicate that a lack of trained staff, equipment, transportation, and funding hampered the labor inspectorate's ability to conduct child labor inspections and legal proceedings, especially in remote areas of northern Mali. (2,29,59,67)

Although the government revised the Labor Code and hazardous occupation list in 2017, labor inspectors had not received training on the amended Labor Code and hazardous occupation list by the end of the reporting period. (68)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Mali 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 insufficient financial and human resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (2)	Unknown (33)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (2)	Unknown (33)
Refresher Courses Provided	Yes (2)	Unknown (33)
Number of Investigations	Unknown (2)	1 (33)
Number of Violations Found	Unknown (2)	3 (33)
Number of Prosecutions Initiated	Unknown (2)	1 (33)
Number of Convictions	Unknown (2)	1 (33)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (2)	Yes (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (33)

Mali

MODERATE ADVANCEMENT

In 2018, the Ministry of Internal Security's Moral Brigade employed 28 staff, 3 more than in 2017. Despite this, there are reports that the number of law enforcement agents is inadequate given the prevalence of the worst forms of child labor in the country. (33) Although the total number of investigations conducted throughout the country during the reporting period is unknown, the Appeals Court of Bamako reported that the Morals Brigade investigated 1 case of child trafficking and secured a conviction of 4 years imprisonment for the individual who attempted to traffic 3 children ages 14 to 16 to Côte d'Ivoire. In addition, the Morals Brigade reported eight cases of mistreatment of child domestic workers. (33)

In addition to an operational budget, the government provided the Morals Brigade with 31 gallons of fuel for each 3-month period. (33) During the reporting period, the government funded and organized anti-trafficking awareness trainings for judges, prosecutors, and law enforcement officers and conducted an additional training for community leaders and *marabouts*. The government also distributed 200 copies of the Trafficking in Persons Law to judges, prosecutors, and magistrates who took part in Ministry of Justice-led trainings. (25) IOM also held trainings for government officials and non-governmental actors on combatting trafficking in persons and victim identification and referral. (25)

Despite these efforts, there is a lack of trained staff, equipment, transportation, and funding to adequately conduct criminal law enforcement efforts related to the worst forms of child labor, particularly in remote areas. (5,33,69) Reports indicate that because of political instability, which may hinder labor and criminal law enforcement efforts in northern Mali, the prevalence of hereditary slavery, forced labor, and trafficking in persons has worsened since the conflict began in 2012. (5,29,30,33)

In 2018, the Morals Brigade received training from the UN Multidimensional Integrated Stabilization Mission in Mali Child Protection Office and from the EU Capacity Building Mission in Mali. During the reporting period, MPPEF provided medical and psycho-social support to 53 children associated with armed groups and reunited 21 with their families. (33)

Research found no indication that the government either investigated or prosecuted individuals alleged to have illegally recruited and used child soldiers. (25)

An informal referral mechanism exists among NGOs, UN bodies, police, and other government agencies to allow withdrawal of children from armed conflict and provide social services to victims of the worst forms of child labor. In 2018, the government worked with local organizations to withdraw and provide reintegration services to 109 child victims of human trafficking. (25,33) Despite these efforts, reports indicate that resources and facilities available to social services agencies are inadequate. (5,29,33,62)

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 coordination between key bodies.

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

Coordinating Body	Role & Description
National Unit to Fight Against Child Labor (CNLTE)	Coordinates Mali's efforts to eliminate child labor, especially its worst forms. Chaired by the Ministry of Labor and includes representatives from other government ministries, civil society, and worker and employer organizations. (2,20,70,71) In 2018, received a budget of \$70,000 to conduct activities including conducting labor inspections on farms. (33)
National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices	Coordinates government efforts to combat human trafficking. Chaired by the Ministry of Justice and includes various government agencies and civil society groups. (2,19,72,73) In 2018, finalized the National Plan of Action to Combat Trafficking of Persons (PAN) 2018–2022, which was published in January 2019. (69,74)

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

Coordinating Body	Role & Description
Inter-Ministerial Committee to Prevent Grave Violations Against Children	Conducts awareness-raising campaigns to prevent the recruitment and use of children in armed conflict and implements reintegration programs for former child soldiers. (2) Conducts joint missions with international partners to determine the presence of children in armed conflict. (62) Led by MPFEF. (2) In 2018, continued to train regional actors in the protocol to release and transfer children associated with armed groups and forces. (33)
Artisanal Gold Mining Summit Committee	Comprising gold mining associations and local government officials that monitor the recommendations from a 2014 summit on artisanal mining, including the ban on child labor in artisanal gold mines. (75,76) In 2018, collaborated with the Embassies of Canada and Switzerland and mining companies to establish a commission charged with examining issues in gold mining, including the use of child labor. (33)

Reports indicate that there is confusion with regard to roles and a lack of coordination between the CNLTE and the National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices. (19,30,72) In addition, the CNLTE indicated that budget constraints continue to hamper its effectiveness as a whole. (2,33)

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 insufficient funding and ineffective implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan to Combat Child Labor (PANETEM) (2011–2020)	Aims to eliminate the worst forms of child labor by strengthening child labor laws, training relevant government officials, and mobilizing funds for social programs to withdraw children from child labor. Implemented by CNLTE. (6,59,76) In 2018, CNLTE reported a lack of funding for PANETEM and no resources to evaluate its progress. (33)
Roadmap to Combat Child Labor in Agriculture (2015–2020)	Seeks to enhance the legal framework and build the capacity of the government to prevent child labor in agriculture. Led by the Ministry of Agriculture and supported by the Food and Agriculture Organization (FAO) of the UN. (77-80) In 2018, conducted a workshop with the ILO; produced pictures for awareness about child labor; and recruited a consultant to conduct a study on the agriculture, fishing, and livestock farming sectors. (68)
National Plan of Action to Combat Trafficking in Persons (PAN) (2018–2022)†	Aims to enhance the legal framework to prevent human trafficking, improve implementation of the laws, and provide effective protection and care for victims. Led by the National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices. (5,74) In 2018, the government retroactively allocated a budget of \$2 million to implement activities. (69,74)
National Policy for Promotion and Protection of Children (2015–2019)	Aims to protect children from abuse, violence, and exploitation and promotes improved access to education and livelihood services for vulnerable children, especially those affected by armed conflict. (2,81) Overseen by MPFEF. (2) In 2018, supported formal registration of children at birth by conducting awareness-raising campaigns and sharing information with other government departments involved in birth registration. (33)
Inter-Ministerial Circular and the Protocol on the Release and Transfer of Children Associated with Armed Groups and Armed Forces	Provides a framework that highlights the responsibility of the government to prevent children's involvement in armed conflict, and protect and reintegrate those children who become involved. (2,82,83) In 2018, organized a workshop on child soldiering and protecting children in emergencies for local government representatives and regional technical officers in regions affected by armed conflict. (33)
National Strategic Education Sector Plan (2017–2026)	Sets out a comprehensive map to improve the quality of and access to basic and secondary education, especially in conflict-affected areas of northern Mali. Led by the Ministry of Education and supported by international donors. (59,62,84) In 2018, the Government of Mali allocated \$771,000 to basic education. (33)

† 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. (2,4)

In 2018, the government published the National Plan of Action to Combat Trafficking of Persons (PAN) for 2018–2022, which calls for the establishment of a formal body to coordinate government efforts to combat trafficking in persons and allocates a budget of \$10 million for the 5-year period or \$2 million per year. The government has pledged to contribute \$350,000 annually and intends to mobilize development partners and the private sector to provide the remaining financial support needed to implement the plan. (25)

Mali

MODERATE ADVANCEMENT

The government indicated that efforts to implement the National Plan to Combat Child Labor have been slow due to insufficient allocation of resources. (2,33)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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

Table 10. Key Social Programs to Address Child Labor

Program	Description
South-South Cooperation for the promotion of decent work in cotton-producing countries (2015–2019)	\$6.8 million Government of Brazil-funded project that aims to improve working conditions in the cotton sector, including by combating child labor. (86,87) Research was unable to determine whether activities were undertaken to implement the program during the reporting period.
Decent Work Country Program (2016–2018)	Identified two objectives of decent work: (a) to create jobs and guarantee rights at work for vulnerable populations, and (b) extend social protection and promote social dialogue. (76) Included activities in support of PANETEM. Overseen by the Ministry of Labor and supported by the ILO. (76) Research was unable to determine whether activities were undertaken to implement the Decent Work Country Program during the reporting period. (68)
Clear Cotton Project on Child Labour and Forced Labour (2018–2022)*	An \$8.5 million EU and FAO-funded global project implemented by the ILO to combat child labor and forced labor in cotton and textile supply chains. (33,88)
Combating Descent-Based Slavery Program	USDOS-funded program implemented by the American Bar Association to combat hereditary slavery and forced child labor in Mali. (3,89) In 2018, held a conference on combating hereditary slavery in the Kayes region. (68,90)
National Disarmament, Demobilization, and Reintegration Program	\$25 million UN Multidimensional Integrated Stabilization Mission in Mali-implemented program that aims to provide reintegration services to former combatants in Mali, including children. (2,42,91) By 2018, 17 of the 24 planned sites for disarmament, demobilization, and reintegration had been built, each site with the capacity to receive 750 combatants, including children. (33)
Global Action Against Trafficking in Persons and the Smuggling of Migrants	\$13 million EU-funded, global project implemented by UNODC, UNICEF, and IOM to combat human trafficking and migrant smuggling. (92,93) In 2018, Government of Mali representatives attended a sub-regional conference on combating migrant smuggling. (68,94)
USAID Country Program (2016–2020)	\$600 million USAID-funded program that supports the government's efforts to improve education, food security, and health; and to provide humanitarian assistance in crisis areas. In 2018, provided quality basic and secondary education to vulnerable communities in northern Mali, including by re-opening schools, training teachers, and providing school kits for students. (2,33,95)

* Program was launched during the reporting period.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,96-99)

In 2018, the government funded training events conducted by an NGO working in the artisanal gold mining sector for 375 stakeholders on the national Trafficking in Persons law and on victim identification and referral. (25)

Although Mali participates in some programs to reduce the worst forms of child labor, these programs are insufficient to fully address the scope of the problem, especially in artisanal gold mining, slavery, and debt bondage. (2) In addition, Mali does not fund or participate in programs to address child labor in domestic work, fishing, forced begging, and commercial sexual exploitation. (100)

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 Mali (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Criminally prohibit the use, procurement, or offering of children for the production and trafficking of drugs.	2009 – 2018
	Ensure that the Labor Code specifies the conditions under which light work may be undertaken to prevent child labor.	2015 – 2018
	Criminally prohibit hereditary slavery.	2017 – 2018
	Criminally prohibit the recruitment of children under age 18 into non-state armed groups and in any armed conflict, and ensure that the specific ages of children protected by the Inter-Ministerial Circular on the Prevention, Protection, and Reintegration of Children in Armed Conflict comply with international standards.	2013 – 2018
	Enact laws to provide penalties for violations of the worst forms of child labor, including the use of children under age 18 in armed conflict.	2009 – 2018
Enforcement	Publish complete information on the type of labor inspections, violations, and penalties related to child labor.	2010 – 2018
	Increase the resources, training, and number of labor inspectors to meet the ILO's technical advice, and increase the number of criminal investigators responsible for enforcing laws related to child labor to provide adequate coverage of the workforce.	2012 – 2018
	Take measures to adequately enforce laws related to child labor, particularly in northern Mali, and increase efforts to ensure that perpetrators of the worst forms of child labor, including the use of child soldiers and hereditary slavery, are prosecuted in accordance with the law.	2013 – 2018
	Ensure that government social services have sufficient resources and facilities to provide the necessary care for victims of the worst forms of child labor.	2016 – 2018
Coordination	Streamline coordination across government agencies, including by ensuring effective coordination among the National Unit to Fight Against Child Labor, the National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices, and other relevant agencies.	2010 – 2018
	Ensure that the National Unit to Fight Against Child Labor has sufficient resources to coordinate efforts to address child labor.	2012 – 2018
Government Policies	Ensure that the National Plan to Combat Child Labor is implemented, including by allocating sufficient financial and human resources.	2012 – 2018
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including girls and those living in conflict-affected areas, by removing school-related fees, increasing school infrastructure, increasing teacher availability, providing school supplies, and taking measures to ensure the safety of children and teachers in schools.	2010 – 2018
	Increase birth registration rates to ensure that children have access to social services, including education.	2010 – 2018
	Expand existing programs to fully address child labor, especially in artisanal gold mining, slavery, and debt bondage.	2014 – 2018
	Institute new programs to address child labor in domestic work, fishing, forced begging, and commercial sexual exploitation.	2009 – 2018
	Ensure the military and non-state armed groups do not occupy schools.	2018

REFERENCES

- ILO Committee of Experts. Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Mali (ratification: 1960). Published: 2017.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3276821.
- U.S. Embassy- Bamako. Reporting. February 23, 2018.
- American Bar Association. Continuing to Combat Descent-based Slavery and Forced Child Labor in Mali. July 2017.
https://www.americanbar.org/advocacy/rule_of_law/where_we_work/africa/mali/news/news-mali-child-labor-slavery-training-0717.html.
- UN Security Council. Report of the Secretary-General: Children and Armed Conflict. May 16, 2018: A/72/865–S/2018/465.
<https://undocs.org/s/2018/465>.
- U.S. Department of State. Trafficking in Persons Report- 2018: Mali. Washington, DC, June 28, 2018.
<https://www.state.gov/reports/2018-trafficking-in-persons-report/mali/>.
- Government of Mali. Plan d'Action National pour l'Elimination du Travail des Enfants au Mali. 2010. Source on file.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed January 4, 2018. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
<http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2014, Analysis received January 12, 2018. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Bamako. Reporting. January 14, 2016.

MODERATE ADVANCEMENT

- 10 UCW.The Twin Challenges of Child Labour and Educational Marginalisation in the ECOWAS Region:An Overview. July 1, 2014. http://www.ucw-project.org/attachment/ECOWAS_child_labour_educational_marginalisation20140709_130339.pdf.
- 11 U.S. Embassy- Bamako. Reporting. January 22, 2015.
- 12 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mali (ratification: 2000). Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3245461:NO.
- 13 Djire, Doussou. Orpaillage: Une nouvelle politique en marche. L'Essor, October 4, 2017. <https://maliactu.net/mali-orpaillage-une-nouvelle-politique-en-marche>
- 14 Human Rights Watch. Submission for the Universal Periodic Review of Mali. June 30, 2017. <https://www.hrw.org/print/305985>.
- 15 Vella, Heidi. Mining in Mali: balancing prospects and problems. Mining Technology, July 2, 2017. <http://www.mining-technology.com/features/featuremining-in-mali-balancing-prospects-and-problems-5852488/>.
- 16 Doumbia, Amadou. Mali: Travail des enfants: Le combat de l'Ong 'GRADEM' pour l'application des textes. Le Témoin, April 19, 2016. <http://maliactu.net/mali-travail-des-enfants-le-combat-de-long-gradem-pour-lapplication-des-textes/>.
- 17 UN Committee on the Elimination of Discrimination against Women. Concluding observations on the combined sixth and seventh periodic reports of Mali. July 25, 2016: CEDAW/C/MLI/CO/6-7. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/MLI/CO/6-7&Lang=En.
- 18 Dune Voices. Le travail des enfants à Tombouctou, un danger pour des générations d'élèves. February 22, 2016. <http://dune-voices.info/public/index.php/fr/société-mali-fr/item/677-le-travail-des-enfants-à-tombouctou-un-danger-pour-des-génération-d-élèves>.
- 19 U.S. Department of State. Trafficking in Persons Report- 2017: Mali. Washington, DC, June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/mali/>.
- 20 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mali (ratification: 2000). Published: 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3083661.
- 21 Coulibaly, Diango. Exploitation sexuelle des enfants à des fins commerciales: La coordination ECPAT Luxembourg-Mali lance son rapport. Le Reporter, October 11, 2017. <http://maliactu.net/mali-exploitation-sexuelle-des-enfants-a-des-fins-commerciales-la-coordination-ecpat-luxembourg-mali-lance-son-rapport/>.
- 22 Nigerian Tribune. Over 5000 Nigerian girls forced into prostitution in Mali - NAPTIP. March 1, 2017. <http://www.tribuneonline.com/5000-nigerian-girls-forced-prostitution-mali-naptip/>.
- 23 UN Security Council. Report of the Secretary-General on children and armed conflict in Mali. February 21, 2018: S/2018/136. <http://undocs.org/en/s/2018/136>.
- 24 UN Human Rights Council. Report of the Independent Expert on the situation of human rights in Mali. January 21, 2019: A/HRC/40/77. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/012/02/PDF/G1901202.pdf?OpenElement>.
- 25 U.S. Embassy- Bamako. Reporting. February 28, 2019.
- 26 Jeune Afrique, and Agence France-Presse. L'ONU dénonce la présence d'enfants soldats et de mineurs prisonniers au nord du Mali. August 11, 2017. <http://www.jeuneafrique.com/465329/politique/ONU-denonce-la-presence-denfants-soldats-et-de-mineurs-prisonniers-au-nord-du-mali/>.
- 27 ILO Committee of Experts. Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Mali (ratification: 1960). Published: 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3276821:NO.
- 28 Government of the United Kingdom. Country Information and Guidance. Mali: The Bellah (also known as the 'black Tuareg'), April 2016. <http://www.refworld.org/docid/57206bbe4.html>.
- 29 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Mali. Washington, DC, March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/mali/>.
- 30 U.S. Embassy- Bamako. Reporting. February 12, 2018.
- 31 RFI. Mali: le général El Hadj Ag Gamou affirme appartenir au Gambia. September 23, 2016. <http://www.rfi.fr/afrique/20160923-mali-general-el-hadj-ag-gamou-affirme-appartenir-gambia-touareg>.
- 32 Sahelien.com. Mali : General Gamou officially shows himself as head of Gambia. September 25, 2017. <https://sahelien.com/en/mali-general-gamou-officially-shows-himself-as-head-of-gambia/>.
- 33 U.S. Embassy- Bamako. Reporting. January 30, 2019.
- 34 Ministère de la Promotion de la Femme, de l'Enfant et de la Famille. Exposé liminaire De Madame la ministre de la promotion de la femme de l'enfant et de la famille. July 15, 2016. [http://tbinternet.ohchr.org/Treaties/CEDAW/Shared Documents/MLI/INT_CEDAW_STA_MLI_24543_F.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/MLI/INT_CEDAW_STA_MLI_24543_F.pdf).
- 35 Studio Tamani. Au Mali, deux enfants sur trois travaillent. June 12, 2016. <http://www.studiotamani.org/index.php/politique/7981-au-mali-deux-enfants-sur-trois-travaillent>.
- 36 U.S. Embassy- Bamako official. Email communication to USDOL official. March 29, 2017.
- 37 Michal, Isabelle and Kelly Sipp. Birth certificates issued by Mali open doors for Mauritanian refugee children. UNHCR, April 20, 2015. <http://www.unhcr.org/5534fc0f1b.html>.
- 38 Global Initiative to End All Corporal Punishment of Children. Corporal punishment of children in Mali. June 2015. <http://www.endcorporalpunishment.org/assets/pdfs/states-reports/Mali.pdf>.
- 39 Konte, Rudd. Mali: Rebels Bring Schooling in Mali to a Standstill. CAJ News, September 15, 2017. <http://allafrica.com/stories/201709160055.html>.
- 40 Ryeng, Helen Sandbu, and Cindy Cao. Striving for uninterrupted learning for every child in Mali. UNICEF, November 7, 2017. https://www.unicef.org/infobycountry/mali_101456.html.
- 41 Global Coalition to Protect Education from Attack (GCPEA). Education under Attack 2018. May 10, 2018. http://www.protectingeducation.org/sites/default/files/documents/eua_2018_full.pdf.
- 42 UN Security Council. Report of the Secretary-General on children and armed conflict in Mali. August 24, 2017. Source on file.
- 43 Human Rights Watch. World Report 2019: Mali. 2019. <https://www.hrw.org/world-report/2019/country-chapters/mali>.
- 44 Amnesty International. Annual Report: Mali 2017/2018. 2019. <https://www.amnesty.org/en/countries/africa/mali/report-mali/>.
- 45 RFI. Mali: l'Unicef envisage « des solutions localisées pour les écoles fermées » January 6, 2019. <http://www.rfi.fr/emission/20190106-mali-ecoles-fermees-insecurite-lucia-elmi-unicef>.
- 46 BBC Afrique. Les enseignants maliens réclament des primes. April 12, 2019. <https://www.bbc.com/afrique/region-47905149>.

- 47 TV5MONDE. Mali : reprise des cours après 5 mois de grève des enseignants. May 21, 2019. <https://afrique.tv5monde.com/information/mali-reprise-des-cours-apres-5-mois-de-greve-des-enseignants>.
- 48 Bamada.net MALI / GRÈVES DES ENSEIGNANTS: PROLONGATION DE L'ANNÉE SCOLAIRE JUSQU'À FIN JUILLET May 30, 2019. <http://bamada.net/mali-greves-des-enseignants-prolongation-de-lannee-scolaire-jusqua-fin-juillet>.
- 49 Government of Mali. Law 2017-021 modifying the Labor Code. June 12, 2017. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/104701/127819/F1627870706/MLI-104701.pdf>.
- 50 Government of Mali. Code du Travail, Loi N° 92-020. Enacted: Septmeber 23, 1992. <http://www.ilo.org/dyn/travail/docs/1328/Mali - Code du Travail.pdf>.
- 51 Government of Mali, Ministry of Labor, Civil Service, and State Reforms. Arrête N° 9-0151-MTFPRE/DG du 4 février 2009 completant la liste des travaux dangereux interdits aux enfants de moins de 18 ans. Enacted: February 4, 2009. Source on file.
- 52 Government of Mali. Arrête 2017-4388 Amendment to List of Hazardous Work for Children Under 18. December 29, 2017. Source on file.
- 53 Government of Mali. Projet de loi relatif a la lutte contre la traite des personnes et les pratiques assimilees, Depot N°20 10 1 51 1 4L. Enacted: 2012. Source on file.
- 54 Government of Mali. Code pénal, Loi N° 01-079. Enacted: August 20, 2001. <http://www.justicemali.org/code penal.pdf>.
- 55 Government of Mali. Code de protection de l'enfant, Loi N° 02-062/P-RM. Enacted: June 5, 2002. <http://www.unesco.org/education/edurights/media/docs/c1c5d5eb0edb7d18bb8134184f16ac64533fe9b.pdf>.
- 56 Government of Mali. Ordonnance n°2016-020 Portant Statut General des Militaires. August 18, 2016. Source on file.
- 57 Government of Mali. Portant loi d'orientation sur l'éducation, Loi 99 – 046. Enacted: December 29, 1999. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/97009/114926/F-568307560/MLI-97009.pdf>.
- 58 Government of Mali. La Constitution du Mali. Enacted: 1992. <http://unpan1.un.org/intradoc/groups/public/documents/cafrad/unpan002746.pdf>.
- 59 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Mali (ratification: 2002). Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3083576.
- 60 Child Soldiers International. Louder than words: An agenda for action to end state use of child soldiers. September 2012. <https://www.child-soldiers.org/shop/louder-than-words-1>.
- 61 Government of Mali. Circulaire Interministérielle Relative à la Prévention, la Protection, et le Retour en Famille des Enfants associe aux Forces et Groupes Armés. 2013. Source on file.
- 62 U.S. Embassy- Bamako. Reporting. January 19, 2017.
- 63 ILO. Combattre le travail des enfants par l'éducation et la formation professionnelle au Mali. April 2015. Source on file.
- 64 CIA. The World Factbook. Accessed February 15, 2019. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/geos/ml.html>.
- 65 ILO Committee on Employment and Social Policy. Strategies and Practice for Labour Inspection. November 2006: GB.297/ESP/3. <http://www.ilo.org/public/english/standards/reim/gb/docs/gb297/pdf/esp-3.pdf>.
- 66 UN. The World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 67 Mali Actu. Communiqué du conseil des ministres du mercredi 2 août 2017. August 2, 2017. <http://maliactu.net/mali-communique-du-conseil-des-ministres-du-mercredi-2-aout-2017/>.
- 68 U.S. Embassy- Bamako. Reporting. February 22, 2019.
- 69 U.S. Embassy- Bamako. Reporting. February 19, 2019.
- 70 Government of Mali. Fixant l'Organisation et les Modalities de Fonctionnement de la Cellule National de Lutte Contre le Travail des Enfants, Decret N° 10-474/P-RM. Enacted: September 20, 2010. Source on file.
- 71 Government of Mali. Portant Creation de la Cellule Nationale de Lutte Contre le Travail des Enfants, Ordonnance N° 10 036/ P-RM. Enacted: August 5, 2010. Source on file.
- 72 U.S. Embassy- Bamako. Reporting. February 14, 2017.
- 73 Government of Mali. Decree 2011-036 to create a National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices. Enacted: 2011. <http://extwprlegs1.fao.org/docs/pdf/mli152170.pdf>.
- 74 Government of Mali. National Plan of Action to Combat Trafficking of Persons 2018–2022. December 2018. Source on file.
- 75 U.S. Embassy- Bamako official. Email communication to USDOL official. February 5, 2016.
- 76 ILO. Programme pour la relance durable du Mali. June 2015. http://www.ilo.org/public/english/bureau/program/dwcp/download/mali_2016-2018.pdf.
- 77 Government of Mali official. Email communication to USDOL official. March 17, 2015.
- 78 Government of Mali. Roadmap to Combat Child Labor in Agriculture, 2015–2020. 2015. Source on file.
- 79 ILO-IPEC. Global Action Program on Child Labor Issues. October 2017: Technical Progress Report. Source on file.
- 80 UN Food and Agriculture Organization Rome official. Email communication to USDOL official. April 11, 2017.
- 81 Government of Mali. National Policy for Child Promotion and Protection (2015–2019). July 2014. Source on file.
- 82 UN. Report of the Secretary General for Children in Armed Conflict, Sixty-Seventh Session. May 15, 2013: A/67/845*-S/2013/245*. http://www.un.org/ga/search/view_doc.asp?symbol=A/67/845.
- 83 UN Security Council. Report of the Secretary-General on children and armed conflict in Mali. April 14, 2014: S/2014/267. http://www.un.org/en/ga/search/view_doc.asp?symbol=s/2014/267.
- 84 UNESCO. Technical workshop on the appropriation and planning of activities of the project empowering adolescent girls and young women through education in Mali. November 30, 2016: Concept Note. http://en.unesco.org/system/files/2a.en_concept_note_technical_workshop_koica_mali_bamako_28-30nov2016_0.pdf.
- 85 USDOL. Global Action Program on Child Labor Issues. 2011: Technical Cooperation Project Summary. http://www.dol.gov/ilab/projects/summaries/GAP_FY11.pdf.
- 86 ILO. South-South Cooperation for the promotion of decent work in cotton-producing countries in Africa and Latin America. 2016. http://www.ilo.org/ipec/projects/global/WCMS_390006/lang--en/index.htm.
- 87 ILO-IPEC Geneva Official. Email communication to USDOL official. February 10, 2018.
- 88 ILO. Clear Cotton Project on Child Labour and Forced Labour. Accessed February 22, 2019. https://www.ilo.org/ipec/projects/global/WCMS_649126/lang--en/index.htm.

MODERATE ADVANCEMENT

- 89 American Bar Association. Mali Programs. Accessed February 28, 2018. https://www.americanbar.org/advocacy/rule_of_law/where_we_work/africa/mali/programs.html.
- 90 Bamada.net. Lutte Contre l'Esclavage: La Coalition Temedt Determinee a Mettre Fin a la Pratique au Mali. July 30, 2018. <http://bamada.net/lutte-contre-lesclavage-la-coalition-temedt-determinee-a-mettre-fin-a-la-pratique-au-mali>.
- 91 UN Security Council. Report of the Secretary-General on the situation in Mali. December 30, 2016. <http://reliefweb.int/sites/reliefweb.int/files/resources/N1646932.pdf>.
- 92 IOM. Training Governmental and Non-Governmental Actors for Better Identification and Assistance to Victims of Human Trafficking. July 3, 2017. <https://www.iom.int/news/training-governmental-and-non-governmental-actors-better-identification-and-assistance-victims>.
- 93 Global Action against Trafficking in Persons and the Smuggling of Migrants. Newsletter 2017: Special Edition. June 2017. http://www.unodc.org/documents/human-trafficking/2017/GLO.ACT_Newsletter_Special_Edition_June_2017.pdf.
- 94 UNODC. Africa-Europe Prosecutors Conference: GLO.ACT-An African Perspective. September 18, 2018. https://www.unodc.org/documents/human-trafficking/GLO-ACT/GLO.ACT_-_An_African_Perspective-Margaret_Akullo_Speech_18_Sept_2018.pdf.
- 95 USAID Mali. Country Development Cooperation Strategy-Mali Forward 2015–2020. 2016. https://www.usaid.gov/sites/default/files/documents/1860/Mali_CDSCS_2015-2020.pdf.
- 96 Cisse, Bouba. Mali: Sikasso : lancement d'un projet de lutte contre le travail des enfants. Le Reporter, April 12, 2017. <http://maliactu.net/mali-sikasso-lancement-dun-projet-de-lutte-contre-le-travail-des-enfants/>.
- 97 Education International Global Union Federation. Education International- working globally to end child labour. June 13, 2017. <https://ei-ie.org/en/detail/15161/education-international-working-globally-to-end-child-labour>.
- 98 World Bank. Emergency Safety Nets project (Jigiséméjiri) (P127328). June 22, 2017: Implementation Status & Results Report - Sequence 08. <http://documents.worldbank.org/curated/en/542931498142113523/pdf/ISR-Disclosable-P127328-06-22-2017-1498142104683.pdf>.
- 99 World Bank. Mali Emergency Education For All Project (P123503). April 14, 2017: Implementation Status & Results Report - Sequence 08, <http://documents.worldbank.org/curated/en/465281492209342424/pdf/ISR-Disclosable-P123503-04-14-2017-1492209331118.pdf>.
- 100 ILO. Pledges during IV Global Conference on the Sustained Eradication of Child Labor. November 10, 2017. <http://childlabour2017.org/en/resources/updates/pledges>.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

In 2018, Mauritania made a minimal advancement in efforts to eliminate the worst forms of child labor. During the year, the government approved a new General Child Protection Code that expanded the number of hazardous occupations or activities prohibited for children, increased penalties to deter violations, and established birth registration as a right and duty. The government also established National Council for Child Protection and allocated a budget of \$100,000 to manage social centers for vulnerable children, including talibés. Despite these new initiatives to address child labor, Mauritania is receiving an assessment of minimal advancement because it continued to implement a practice and policy that delayed advancement in eliminating the worst forms of child labor. During the reporting period, criminal law enforcement authorities did not make adequate efforts to combat slavery and its vestiges.



Specifically, the government did not adequately prosecute or secure convictions in slavery cases, and reports continue to indicate that some government actors, including police and judicial authorities, are unwilling to pursue such cases. In addition, since 2011, the government has required proof of marriage and biological parents' citizenship for children to obtain a birth certificate. As a result, children born out of wedlock and many Haratine and sub-Saharan ethnic minority children, including those of slave descent, have been prevented from being registered at birth. Because birth certificates are required for enrollment in secondary school in Mauritania, children as young as age 12 cannot access education, making them more vulnerable to the worst forms of child labor. Children in Mauritania engage in the worst forms of child labor, including in indentured and hereditary slavery. Children also perform dangerous tasks in agriculture, particularly in herding cattle and goats. The government did not make sufficient efforts to raise awareness of laws that prohibit slavery and enforce some laws related to the worst forms of child labor, including on hereditary slavery and forced begging. In addition, lack of financial resources severely limited the relevant government agencies' ability to fully implement policies, and social programs to combat the worst forms of child labor are insufficient to adequately address the extent of the problem.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mauritania engage in the worst forms of child labor, including in indentured and hereditary slavery. (1,2-5) Children also perform dangerous tasks in agriculture, particularly in herding cattle and goats. (1,7-9) Table 1 provides key indicators on children's work and education in Mauritania. 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	19.7 (Unavailable)
Attending School (%)	5 to 14	68.3
Combining Work and School (%)	7 to 14	15.8
Primary Completion Rate (%)		68.2

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (10)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 2015. (11)

Mauritania

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

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	Herding and caring for cattle, camels, goats, and sheep (1,7-9,12-14)
	Fishing, catching shrimp and fish (1,8,9,13,14)
Industry	Crushing gravel (14,15)
Services	Domestic work (1,7-9,16,17)
	Working as car mechanics, painters, and carpenters (1,8,9,13)
	Garbage scavenging (1,9,13)
	Street work, including vending, shoe shining, begging,† and in the transportation sector (1,8,9,13,14)
Categorical Worst Forms of Child Labor‡	Forced begging as a result of criminal gang recruitment and coercion by Koranic teachers (1,6,8,17,18)
	Commercial sexual exploitation, sometimes as a result of human trafficking (6,9,5)
	Use in illicit activities, including selling drugs (6,9,13)
	Indentured and hereditary slavery (1,2-12,16,18-20)
	Forced labor in domestic work, sometimes as a result of human trafficking (6,8,13,5)

† 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.

Children in Mauritania, especially from the Haratine ethnic minority, continue to be exploited as slaves and endure slave-like practices, particularly in rural and remote areas of the country. Some children are born into slavery; others are born free but remain in a dependent status and are forced to work with their parents for their former masters in exchange for food, money, and lodging. (4,6,8,9,19-22) Child slaves herd animals, such as cattle and goats; perform domestic labor; and are often sexually exploited. (4,6,15,16,23)

In Mauritania, it is a traditional practice to send children to Koranic teachers to receive an education. However, some Koranic teachers (*marabouts*) force their students (*talibés*) to beg on the streets for long hours and to surrender the money they have earned. (6,7-9,18)

Since 2011, the Government of Mauritania has required proof of marriage and biological parents’ citizenship to obtain a birth certificate. (24,25) As a result, children born out of wedlock and many Haratine and sub-Saharan ethnic minority children, including from families of slave descent, have been prevented from being registered at birth. Because birth certificates are required to enroll in secondary school in Mauritania, many children as young as age 12 cannot access education, making them more vulnerable to the worst forms of child labor. (12,9,13,18,21,22,25-27) There are also reports that the civil registration process is confusing and time-consuming. Moreover, applicants have faced additional hardship due to the closure of registration centers outside the capital and staff’s lack of training. (25,28)

In June 2018, the President of Mauritania called on registration centers to streamline procedures to acquire the legal documents necessary for children to access schools. In addition, the General Child Protection Code, enacted in the same month, establishes the right to birth registration. (29-31) During the reporting period, the Ministry of Social Affairs, Childhood, and the Family and the National Agency for Register of Population and Securities (ANRPTS) reached an agreement to facilitate the registration of children without birth certificates. The government compiled a preliminary list of 30,000 unregistered children; their registration is expected to begin in 2019. (32,33) During the reporting period, the ANRPTS also aired messages through national radio and television channels to encourage the population to obtain registration documents. (33)

Ministry of Education officials report that an April 2016 decree requiring all children ages 10 and older to have a national identity card to take part in national examinations has not been applied systematically. The decree has not been withdrawn, and this continues to leave room for different interpretations. (33) In addition, the lack of school infrastructure and limited availability of teachers, especially in rural areas, impede access to education, which may increase children’s vulnerability to the worst forms of child labor. (19,34-36) Children from families of

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

slave descent, especially from the Haratine ethnic minority, also face barriers to accessing education due to ethnic discrimination. (12,7,20,21,37)

In 2018, Mauritania hosted approximately 57,000 Malian refugees. (38) During the reporting period, the Government of Mauritania, in collaboration with the UNHCR, began to issue birth certificates to approximately 7,600 Malian refugee children. (32,38,39) Refugee children may have difficulty accessing education, which makes them particularly vulnerable to engaging in the worst forms of child labor, including being recruited by non-state armed groups. (6,13,27,40,41)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Mauritania has ratified most 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 Mauritania's legal framework to adequately protect children from child labor, including the identification of hazardous occupations or activities prohibited for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 76 of the General Child Protection Code (31)
Minimum Age for Hazardous Work	Yes	18	Article 247 of the Labor Code (42)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 76–77 of the General Child Protection Code (31)
Prohibition of Forced Labor	Yes		Law 052/15; Articles 1 and 3–4 of Law 025/2003; Article 1 of Law 2013-011 (43-45)
Prohibition of Child Trafficking	Yes		Articles 1 and 3 of Law 025/2003; Article 54 of the Penal Protection Code for Children (43,46)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 1 of Law 025/2003; Articles 24–26 of the Penal Protection Code for Children (43,46)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3–5 and 14 of Law 93-37 on the Prohibition of Production, Trafficking, and Use of Drugs and Illicit Substances; Article 42 of the Penal Protection Code for Children (46,47)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 7 of Law 62132/1962 (48)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 43 of the Penal Protection Code for Children (46)
Compulsory Education Age	Yes	14	Article 1 of Law 2001-054 (49)
Free Public Education	Yes		Article 1 of Law 2001-054 (49)

* No conscription (50)

Mauritania

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

In June 2018, the Government of Mauritania enacted the General Child Protection Code, which set the minimum age for work at age 16. (29,31,51) The Code allows children ages 16 and 17 to work as long as it does not occur at night, exceed 8 hours per day, or impede school attendance. In addition, the Code prohibits the employment of children in work that exposes them to physical, psychological, or sexual abuse; work with dangerous machinery, equipment, and tools; and work in unhealthy environments, which may expose children to hazardous substances or temperatures. (31) However, the Code does not determine the types of work that are hazardous, including work domestic work, an area in which there is evidence of children carrying heavy loads and working long hours. (8,31) The Code increases the penalties associated with violations of child labor laws up to \$41,000, and criminalizes commercial sexual exploitation of children and forced begging. It also increases the prison term for trafficking children from 10 to 20 years. (13,31,52,53)

The Labor Code allows children ages 12 and older to perform light work, as long as it does not impede their school attendance, does not exceed 2 hours per day, and is authorized by the Ministry of Labor. (42) However, the Labor Code does not specify the activities in which light work may be permitted. (54) In addition, although the General Child Protection Code should be read as superseding the Labor Code, the Labor Code has not been revised to reflect the increase in the minimum age for work from age 14 to age 16 that the 2018 law established. (31,42) Children in Mauritania are required to attend school only up to age 14. This standard makes children ages 14 through 16 vulnerable to child labor, because they are not required to attend school but are not legally allowed to work. (31,49)

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 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's Directorate of Labor and Inspection	Enforces labor laws and investigate Labor Code infractions, including violations related to minimum wage and hazardous work. (17,55,56)
Ministry of the Interior's Special Brigade for Minors	Investigates crimes against children, including human trafficking, and monitors religious schools (<i>mahadras</i>) to ensure that children are not forced to beg on behalf of their teachers. Mainly operates in Nouakchott. (9,17,37,57,58)
Ministry of Social Affairs, Childhood, and the Family (MASEF) Office of Childhood	Develops and implements programs to protect vulnerable children and monitor alleged violations of child labor laws, including those related to the worst forms of child labor. Manages the Centers for the Protection and Social Integration of Children. (9,17,55)
Ministry of Justice's Directorate of the Judiciary for the Protection of Children	Coordinates child protection issues and oversees the Special Brigade for Minors and tribunals that sentence child offenders. (15,17,57)
National Commission for Human Rights (CNDH)	Advocates the eradication of slavery, receives human rights complaints, and conducts investigations on human rights violations, including the worst forms of child labor. Independent ombudsman body. (9,17,37,63)
Commissariat on Human Rights and Humanitarian Action	Coordinates the development and implementation of government policies related to human rights, including those related to the worst forms of child labor. Carries out awareness-raising campaigns to combat slavery and human trafficking. Semi-autonomous body, under the supervision of the Office of the Prime Minister. (5,55,64)
National Agency to Fight Against the Vestiges of Slavery, Integration, and Fight Against Poverty (Tadamoun)	Develops and implements programs to tackle poverty, promotes the integration of refugees, and rehabilitates former slaves. (19,55,65) Files complaints on behalf of citizens who accuse their employers of practicing slavery, and brings cases of alleged slavery to the authorities for investigation. (3,6,63,66) In 2018, signed a memorandum of understanding with the National Agency for Register of Population and Securities (ANRPTS) to register all vulnerable individuals beginning in 2019, including children taking part in the Tekavoul cash transfer program, which targets 100,000 vulnerable households. (33)
Anti-Slavery Courts	Prosecute crimes related to slavery and provide free legal assistance to victims, including children. The three regional courts located in Nema, Nouakchott, and Nouadhibou were created under the Roadmap and Action Plan for the Eradication of the Vestiges of Slavery. (6,67-69)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

Labor Law Enforcement

In 2018, labor law enforcement agencies in Mauritania took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$33,300 (13)	\$33,300 (30)
Number of Labor Inspectors	67 (58)	67 (29,30)
Inspectorate Authorized to Assess Penalties	Yes (13,70)	No (29,71)
Initial Training for New Labor Inspectors	Yes (13)	Yes (29)
Training on New Laws Related to Child Labor	N/A (13)	Unknown (29,72)
Refresher Courses Provided	Unknown (13)	Unknown (29)
Number of Labor Inspections Conducted	Unknown (13)	Unknown (29)
Number Conducted at Worksite	Unknown (13)	Unknown (29)
Number of Child Labor Violations Found	Unknown (13)	Unknown (29)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (13)	Unknown (29)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (13)	Unknown (29)
Routine Inspections Conducted	No (13)	No (29)
Routine Inspections Targeted	N/A (13)	N/A (29)
Unannounced Inspections Permitted	Yes (13)	Yes (29)
Unannounced Inspections Conducted	Unknown (13)	7 (29)
Complaint Mechanism Exists	Yes (13)	Yes (29)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (29)

In 2018, the Ministry of Labor employed 47 full-time labor inspectors and 20 full-time labor controllers, and 19 trainee labor inspectors were enrolled at the National School of Administration. Although the General Child Protection Code was implemented during the reporting period, labor inspectors did not receive training on this law. (29-31) In addition, reports indicate that the Ministry of Labor lacked equipment, training, transportation, and funding to conduct child labor inspections, especially in remote locations and in the informal sector, which employs more than 40 percent of the workforce. (13,17,36,55,58,73-76)

Labor inspectors prepare reports when they find a labor violation and may include a recommendation for a penalty; however, they must file the reports with the Ministry of Justice. The Ministry of Justice will then assess the penalty for the labor violation. (72) In addition, the penalties established for violating child labor laws are insufficient and do not generally deter violations. (15,77)

In 2018, the labor inspectorate conducted unannounced labor inspections for the first time; previous labor inspections had been conducted only after a complaint was filed and the worksite received notice of the inspection. Labor inspectors visited seven worksites that had previously been the subjects of labor complaints; however, it is unclear whether any of these complaints were related to child labor. (72)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Mauritania 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 the investigation and prosecution of criminal cases related to hereditary slavery and forced child begging.

Mauritania

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (13)	Yes (29)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (13)	Yes (29)
Refresher Courses Provided	Yes (13)	Yes (32)
Number of Investigations	Unknown (13)	Unknown (29)
Number of Violations Found	Unknown (13)	Unknown (29)
Number of Prosecutions Initiated	Unknown (13)	Unknown (29)
Number of Convictions	Unknown (13)	Unknown (29)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	No (13)	No (29)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (29)

During the reporting period, the Special Brigade for Minors employed 30 officers and received training on laws related to the worst forms of child labor, including the new General Child Protection Code. According to international organizations and NGOs, there is little to no coordination among enforcement agencies. (29,72) Efforts made by criminal law enforcement authorities to combat the worst forms of child labor, including hereditary slavery, remained inadequate, given the magnitude of the problem. (6)

In 2018, the combined budget of the three Anti-Slavery Courts was \$19,444, which experts and court officials agree is inadequate. In addition, court officials have not received training in enforcement of the 2015 anti-slavery law, and Mauritanian judicial officials often dismiss or fail to refer cases to the Anti-Slavery Courts due to a lack of training. (32,78) During the reporting period the Ministry of Justice, in collaboration with the UN Human Rights Office of the High Commissioner and the ILO, organized a 2-day workshop on the 2015 law criminalizing slavery and on the needs of the specialized anti-slavery courts, in which 40 law enforcement officials participated. In addition, the Ministry, in collaboration with the International Organization for Migration, conducted a workshop that reviewed existing legislative frameworks on trafficking in persons in Mauritania and other countries in the region. (32,79)

In March 2018, the Anti-Slavery Court of Nouadhibou secured two separate convictions for slavery crimes, including child slavery. In one case, the court sentenced two offenders to 20 years' imprisonment and ordered them to pay about \$14,500 in restitution to the victims. However, neither of the offenders has been imprisoned—one died prior to the conviction date, and the other fled prosecution prior to the trial and was tried in absentia. (53) In the second case, the individual was sentenced to 10 years' imprisonment and ordered to pay about \$7,000 in restitution to the victims; however, the offender, alleging health concerns, was granted a compassionate provisional release from imprisonment in June 2018. (53,80-82) During the reporting period, the Nouakchott Anti-Slavery Court heard a third slavery case, which was dismissed because the defendant's lawyers argued that their client had not been informed about the transfer of the case to the Anti-Slavery Court. In addition, there were seven pending cases before the Anti-Slavery Court of Nema, and five new anti-slavery cases were initiated during the reporting period. (32) In May 2018, a number of judicial officers were transferred to different posts, which resulted in the removal of experienced judges from the Nema and Nouakchott Anti-Slavery Courts. The Government of Mauritania announced a second judicial "reshuffle" in December 2018, intended to strengthen the Anti-Slavery Courts. (32,83,84)

According to the 2015 anti-slavery law, the only entities other than *Tadamoun* that can file criminal cases on behalf of former slaves are legally registered human rights associations that have been operating for 5 years in Mauritania. The government continued to prevent the registration of some anti-slavery organizations and associations that work for the promotion and protection of human rights of the Haratine ethnic minority and former slave groups. As a result, these organizations continue to be unable to submit complaints on behalf of these groups, even though the anti-slavery organizations may have been operating in the country for 5 or more years. (78,85,86)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

In addition, there are reports that investigative judges who receive anti-slavery cases may try to pressure slavery victims to drop their cases or accept mediation in lieu of prosecution. The investigative judges may also drop slavery-related charges or classify the case as a lesser crime. (29,32,78) The obstacles that victims of slavery encounter in filing complaints and the government’s failure to adequately investigate these cases may be due to the insufficient allocation of resources by the government and a lack of political will to prosecute these cases to their maximum legal liability. (29,32,78) In addition, two laws adopted in 2018 by the Government of Mauritania have drawn widespread concern in the international community. The anti-discrimination law, enacted in January, and the law on apostasy-related crimes, adopted in April, may be used to retaliate against anti-slavery organizations and restrict their ability to function, including their ability to file criminal cases or advocate for the end of slavery. (78,85,87-91) Although by the end of 2018 there were no reports that the laws has been used against anti-slavery organizations, there are still concerns that the laws could impede access to justice or services for victims of slavery, including children. (78,85,90,92,93)

In August 2018, according to civil society organizations, two members of the anti-slavery organization Initiative for the Resurgence of the Abolitionist Movement (IRA) were arrested and imprisoned under false charges. (94-96) In December 2018, the Nouakchott Court of Appeals rejected an order to transfer the leader of the IRA to a criminal court. The two members were released on December 31, 2018. (97-99) Although the government has released 11 of the 13 members of the IRA who were arrested in June 2016 for their alleged participation in a Nouakchott riot and membership in the unregistered organization, 2 remain in prison. Some of the freed IRA members claimed that they were tortured while they were in police custody. (6,86)

Evidence suggests that some police, prosecutors, and judges do not investigate cases of slavery after complaints are received, and that the government has prosecuted cases for lesser offenses to avoid bringing a slavery case to trial. In some cases, this is due to allegations of corruption or lack of political will to prosecute suspected slaveholders, or it may be due to misunderstanding of the 2015 Anti-Slavery Law. (6,100) Enforcement authorities, including the Anti-Slavery Courts, lack personnel, funding, and training to adequately coordinate and enforce laws related to the worst forms of child labor. (4,6,12,13,67,69,74,101)

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 efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
National Council for Child Protection*	Established during the reporting period, aims to develop and implement policies and programs to eradicate all forms of violence against children, including child labor. Chaired by the Prime Minister’s adviser on social affairs and includes stakeholders in children’s affairs. (28,32,59-62) The Ministry of Labor did not participate in the activities of the National Child Protection Council.
Inter-ministerial Technical Committee on Human Rights	Coordinates and monitors government efforts to promote human rights in Mauritania, including those related to the UN CRC. Led by Commissioner for Human Rights, Humanitarian Action and Relations with Civil Society and includes representatives from the <i>Tadamoun</i> , CNDH, and other ministries. (3,55,102,103) Although the Committee met weekly in 2018, it did not produce any specific outcomes due to structural reorganization, which took place during the reporting period. (32)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

Research suggests that the lack of inclusion of relevant civil society groups, including worker and employer organizations, hampers the ability of the Inter-ministerial Technical Committee on Human Rights to carry out efforts to promote human rights, including combating slavery and its vestiges. (2,55,67)

Mauritania

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED 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 funding and implementation of key policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Eliminate Child Labor (2015–2020)	Aims to eliminate the worst forms of child labor by strengthening child labor laws, training relevant government officials, implementing awareness-raising campaigns, and mobilizing funds for social programs to withdraw children from child labor. Overseen by the Ministry of Labor. (1,8,13,55) In 2018, with assistance from ILO, organized a workshop in Kaedi to build the capacity of labor inspectors and non-governmental actors to combat child labor. (32)
Strategy for Accelerated Growth and Sustainable Development (2016–2030)	Aims to reduce poverty, promote sustainable development, and increase access to fundamental social services. Overseen by the Ministry of Economic Affairs and Development. (105,106) Integrates strategies to increase birth registration and access to compulsory education, strengthen social protection systems for children, and support efforts to combat slavery, including its vestiges. (105) In 2018, MASEF and ANRPTS collaborated to compile a list of 10,000 children without documentation through national child protection systems. The registration process for these children is expected to begin in 2019. (32,107)

In 2018, the government, in collaboration with UNICEF and Save the Children, organized a workshop to begin updating and aligning the draft National Child Protection Strategy with the General Child Protection Code, which was adopted during the reporting period. (5,32,108) Although the government continued to review the National Action Plan to Combat Trafficking in Persons that was drafted in 2015, it did not officially adopt the Plan during the reporting period. (6,109,110) Reports indicate that efforts to implement most of the key policies related to child labor, particularly the National Action Plan to Eliminate Child Labor, have been delayed due to insufficient allocation of resources. (9,13,29,32,34,70,74)

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 efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
From Protocol to Practice: A Bridge to Global Action on Forced Labor (2015–2020)	USDOL-funded global project implemented by the ILO to support global and national efforts aimed at countering the forced labor of adults and children through the 2014 ILO Protocol and supporting the Recommendation to C. 29 on Forced Labor. (111,112) In 2018, conducted a training on the 2015 Anti-Slavery Law for law enforcement officials, including labor inspectors, magistrates and judges of inquiry from the Special Criminal Courts, in collaboration with UNHCR and the Ministry of Justice. (32,108) The Ministry of Public Service, Labor and Administration Modernization convened a research roundtable for a qualitative study examining forced labor and employment relationships leading to risk of forced labor. The Ministry of Justice, the Office of the Commissioner for Human Rights and Humanitarian Action, Direction of the Social Register, <i>Tadamoun</i> , Directorate of Employment, and representatives from civil society, including human rights organizations, attended this roundtable. (32,108) Additional information is available on the USDOL website.
Technical Support on Social Dialogue and Labor Administration (2017–2018)	A \$328,000 ILO-funded project to build the capacity of the Ministry of Labor to improve enforcement of labor laws, including those related to child labor. (113) Research was unable to determine whether activities were undertaken to implement the Technical Support on Dialogue and Labor Administration during the reporting period.
Cash Transfer Tekavoul (2015–2020)	A \$29 million <i>Tadamoun</i> program, supported by the World Bank, that provides cash assistance to families with school-age children, conditioned on children's school attendance. (114) In 2018, held a regional workshop for local government and civil society representatives, during which the <i>Tadamoun</i> Director declared the program's goal to reach 100,000 beneficiary households by 2021. (32,115,116)
Program to Eradicate the Effects of Slavery†	Government program that supports the reintegration and rehabilitation of former slaves. (6,66) In 2018, the program opened 19 schools and continued to implement income-generating activities in communities of slave descendants and other vulnerable populations. (5,29,32,117,118)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Centers for the Protection and Social Integration of Children†	MASEF-operated program that provides food, shelter, education, and vocational training to vulnerable children, many of whom are <i>talibés</i> . Operates in Aleg, Kaedi, Kiffa, Nouadhibou, Rosso, and Nouakchott. (9,17,36) In 2018, the government allocated a budget of \$100,000 to manage the centers, which allowed them to provide services to 360 children, and conducted a capacity-building workshop with Save the Children for center staff on protecting migrant children from human trafficking and exploitation. (5,32,119)
Access to Justice and Human Rights Program	USDOS- and USAID-funded program implemented by the American Bar Association to promote the social and political rights of marginalized groups, including former and current child victims of slavery. (120-122) Research was unable to determine whether activities were undertaken to implement the Access to Justice and Human Rights Program during the reporting period.
Decent Work for Migrant Youth in the Fishing Sector (2017–2021)	A \$17 million ILO- and Government of Germany-funded, 4-year project that aims to promote decent work among migrant youth working in the artisanal fishing sector in Mauritania. Aims to reach at least 9,000 recipients by the second year of the project and conduct an analysis of child labor in the fishing sector. (125,126) Research was unable to determine whether activities were undertaken to implement the Decent Work for Youth in the Fishing Sector during the reporting period.
UNICEF Country Program (2012–2018)	A \$10.3 million UNICEF-funded program that supported the government's efforts to improve education, birth registration rates, social inclusion, and protection for children, including refugees. (15,127,128) In 2018, provided access to education for 5,500 refugee children in the M'Bera camp, inaugurated the National Council for Child Protection, and published the Mauritania Country Program for 2018–2022. (32,59,129-131)

† Program is funded by the Government of Mauritania.

Since 2016, the Government of Mauritania has opened 43 schools in communities largely populated by slave descendants, including 19 schools during the reporting period. (32)

Although Mauritania has social programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially in agriculture, herding, and domestic work, and for children in hereditary and indentured slavery. (15,55,134) Moreover, some government officials do not acknowledge that slavery continues to exist. (2,4,22,55,74) In addition, the lack of recent data on slavery limits the government's ability to develop effective social programs to comprehensively address this issue. Existing social programs for former slaves and awareness of the national laws on slavery are insufficient. (2,3,7,22)

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 Mauritania (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's provisions on light work are specific enough to prevent children from being involved in child labor.	2015 – 2018
	Ensure that domestic work is included in the hazardous work list.	2009 – 2018
	Ensure that the age up to which education is compulsory is equal to the minimum age for work.	2018
Enforcement	Increase the personnel, training, and resources for labor and criminal law enforcement agencies, including the Anti-Slavery Courts, to adequately enforce labor laws, especially in remote areas and in the informal sector.	2010 – 2018
	Strengthen the labor inspection system by authorizing the labor inspectorate to assess penalties and initiate routine and targeted inspections, rather than performing inspections solely based on complaints received.	2014 – 2018
	Increase efforts to ensure that cases of the worst forms of child labor, including hereditary slavery and forced begging, are investigated and prosecuted in accordance with the law.	2016 – 2018
	Publish information on the number of labor inspections, child labor law violations, and penalties assessed, and the number of criminal investigations, violations found, prosecutions, and convictions related to the worst forms of child labor.	2011 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Legally recognize civil society organizations that work to protect the human rights of the Haratine ethnic minority and former slave groups, in particular those that assist victims of slavery in filing cases, register births, and ensure access to education, and ensure that legislation is not used to impair their ability to function.	2017 – 2018
	Ensure that <i>Tadamoun</i> pursues its mandate to submit complaints of slavery on behalf of victims.	2017 – 2018
	Hold government officials accountable for alleged corruption and mishandling of legal cases related to crimes on the worst forms of child labor, including on slavery offenses.	2017 – 2018
	Ensure the safety of anti-slavery activists, and allow peaceful public discourse and assembly on slavery, slavery-like practices, and the vestiges of slavery free from government interference.	2011 – 2018
	Ensure that penalties are high enough to deter violators of child labor laws.	2015 – 2018
	Ensure that labor inspectors are trained on the General Child Protection Code.	2018
Coordination	Ensure that relevant civil society organizations are included in the Inter-ministerial Technical Committee on Human Rights.	2017 – 2018
	Ensure the Ministry of Labor's participation in the National Child Protection Council.	2018
Government Policies	Ensure that key policies related to child labor, particularly the National Action Plan to Eliminate Child Labor, receive sufficient funds for effective implementation.	2016 – 2018
	Approve the National Action Plan to Combat Trafficking in Persons.	2015 – 2018
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including those from families of slave descent and refugees, by increasing school infrastructure and teacher availability, especially in rural areas.	2011 – 2018
	Ensure that all children are able to obtain birth certificates to increase their access to secondary education and reduce their vulnerability to the worst forms of child labor.	2016 – 2018
	Expand the scope of programs to address child labor, including in agriculture, herding, and domestic work, and the worst forms of child labor, including hereditary and indentured slavery.	2009 – 2018
	Implement a continuous awareness-raising program for government officials on the laws related to slavery and the worst forms of child labor.	2012 – 2018
	Conduct research and collect data on slavery to inform the development of effective policies and programs to identify and protect children who are at risk.	2010 – 2018
	Increase funding for social programs that provide services to former slaves.	2015 – 2018

REFERENCES

- Government of Mauritania. Plan d'Action National d'Elimination du Travail des Enfants (2015-2020). April 2015. Source on file.
- ILO Committee of Experts. Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Mauritania (ratification: 1961). Published: 2017.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298344.
- UN Human Rights Council. Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian. August 26, 2014: HRC_27_53_Add_I_ENG.
http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A_HRC_27_53_Add_I_ENG.doc.
- AFL-CIO. Concerning the failure of the Government of Mauritania to comply with section 104 of the African Growth and Opportunity Act. June 17, 2017. Source on file.
- U.S. Department of State. Trafficking in Persons Report- 2018: Mauritania. Washington, DC, June 28, 2018.
<https://www.state.gov/reports/2018-trafficking-in-persons-report/mauritania/>.
- U.S. Department of State. Trafficking in Persons Report- 2017: Mauritania. Washington, DC, June 27, 2017.
<https://www.state.gov/reports/2017-trafficking-in-persons-report/mauritania/>.
- UN Human Rights Council. Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21. August 17, 2015: A/HRC/WG.6/23/MRT/3. Source on file.
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mauritania (ratification: 2001). Published: 2016.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3248994:NO.
- Commission Nationale des Droits de l'Homme. Rapport annuel sur la situation des enfants en Mauritanie. 2016.
http://www.cndh.mr/images/rapport_cndh_2016.pdf.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
<http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 2015, 2015. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

- 12 The African Committee of Experts on the Rights and Welfare of the Child (ACERWC). Decision on the communication submitted by minority rights group international and SOS-Esclaves on behalf of Said Ould Salem and Yarg Ould Salem against the Government of Mauritania. 2017. Source on file.
- 13 U.S. Embassy- Nouakchott. Reporting. January 9, 2018.
- 14 Association des Femmes Chefs de Manage official. Interview with USDOL. September 19, 2017.
- 15 U.S. Embassy- Nouakchott. Reporting. January 24, 2017.
- 16 Minority Rights Group International. Enforcing Mauritania's Anti-Slavery Legislation: The Continued Failure of the Justice System to Prevent, Protect and Punish. ASI, MRG, STP and UNPO, October 2015. <http://www.refworld.org/pdfid/561f6aa74.pdf>.
- 17 ILO. Etude relative à l'analyse législative et institutionnelle sur le travail des enfants en Mauritanie. February 2015. Source on file.
- 18 UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families. Concluding observations on the initial report of Mauritania. May 31, 2016: CMW/C/MRT/CO/1. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CMW/C/MRT/CO/1&Lang=En.
- 19 UN Human Rights Council. Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21. August 24, 2015: A/HRC/WG.6/23/MRT/2. Source on file.
- 20 Higgs, Johanna. It Still Exists: Slavery Drags On in Mauritania Despite Being Illegal. PassBlue, February 15, 2017. <http://www.passblue.com/2017/02/15/it-still-exists-slavery-drags-on-in-mauritania-despite-being-illegal/>.
- 21 Minority Rights Group International. Still Far From Freedom: The Struggle of Mauritania's Haratine Women. May 4, 2015. <http://www.refworld.org/docid/556ea7a14.html>.
- 22 Alston, Philip. End-of-mission statement on Mauritania, Special Rapporteur on extreme poverty and human rights. UN Human Rights Council, May 11, 2016. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19948&LangID=E>.
- 23 Unrepresented Nations and People Organization (UNPO). Haratin: Women Prime Victims of Slavery and Sexual Violence in Mauritania. March 30, 2017. <http://unpo.org/article/19934>.
- 24 Government of Mauritania. Loi n° 2011 - 003 abrogeant et remplaçant la loi n°96.019 du 19 Juin 1996 portant Code de l'Etat Civil. January 12, 2011. <https://data.unicef.org/wp-content/uploads/2017/12/Mauritanie-Code-2011-etat-civil.pdf>.
- 25 Human Rights Watch. Mauritania: Administrative Obstacles Keep Kids From School. March 29, 2018. <https://www.hrw.org/news/2018/03/29/mauritania-administrative-obstacles-keep-kids-school>.
- 26 UNESCO-UIS. Mauritania Education and Literacy. UNESCO Institute of Statistics, Accessed May 24, 2017. <http://uis.unesco.org/country/MR>.
- 27 Child Soldiers International. Alternative report to the Committee on the Rights of the Child on implementation of the Convention on the Rights of the Child- Mauritania. October 31, 2017. <https://www.child-soldiers.org/Handlers/Download.ashx?IDMF=0b61c1b9-4977-4112-b7c3-ed296e738e27>.
- 28 UN Committee on the Rights of the Child. Concluding observations on the combined third to fifth periodic reports of Mauritania. November 26, 2018. https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CRC/C/MRT/CO/3-5&Lang=En.
- 29 U.S. Embassy- Nouakchott. Reporting. January 15, 2019.
- 30 U.S. Embassy- Nouakchott. Reporting. February 1, 2019.
- 31 Government of Mauritania. Loi n°2018-024 Code Général de Protection de l'Enfant Enacted: June 2018. Source on file.
- 32 U.S. Embassy- Nouakchott. Reporting. February 25, 2019.
- 33 UNICEF official. Email communication to USDOL official. March 8, 2019.
- 34 Makhloufi, Annabelle and Ulrich Delius. Esclavage en Mauritanie: échec de la feuille de route. Göttingen, Gesellschaft für bedrohte Völker, February 2016. https://www.gfbv.de/fileadmin/redaktion/Reporte_Memoranden/2016/RAPPORT_FEUILLE-DE-ROUTE.pdf.
- 35 Dune Voices. Les écoles publiques en Mauritanie, l'ultime refuge des enfants pauvres. March 27, 2016. <http://www.dune-voices.info/public/index.php/fr/société-mauritanie-fr/item/781-les-écoles-publiques-en-mauritanie,-l'ultime-refuge-des-enfants-pauvres>.
- 36 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mauritania (ratification: 2001). Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3248994:NO.
- 37 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Mauritania. Washington, DC, March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/mauritania/>.
- 38 UNHCR. Operational Update: Mauritania. November 15, 2018. <https://data2.unhcr.org/en/documents/download/67050>.
- 39 UNHCR. UNHCR welcomes launch of birth certification for Malian refugees in Mbera camp. February 23, 2018. <https://www.unhcr.org/news/briefing/2018/2/5a8fdda34/unhcr-welcomes-launch-birth-certification-malian-refugees-mbera-camp.html>.
- 40 Titz, Christoph. Child Soldiers in Mali: A Skinny Boy with a Kalashnikov. Spiegel, September 8, 2016. <http://www.spiegel.de/international/world/refugees-in-mauritania-and-child-soldiers-in-mali-a-1111404.html>.
- 41 UNHCR. Operational Update- Mauritania. January 15, 2018. <https://reliefweb.int/sites/reliefweb.int/files/resources/61593.pdf>.
- 42 Government of Mauritania. Code du travail. Loi N° 2004-017, Enacted: July 2004. http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=MRT&p_classification=01.02&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY.
- 43 Government of Mauritania. Loi N° 025/2003 portant repression de la traite des personnes. Enacted: 2003. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/65094/113865/F-1222953954/MRT-65094.pdf>.
- 44 Government of Mauritania. Loi N° 2013-011. Enacted: January 2013. Source on file.
- 45 Government of Mauritania. Loi N° 052/15 du 12 août 2015 abrogeant et remplaçant la loi n° 2007-048 du 3 septembre 2007 portant incrimination de l'esclavage et des pratiques esclavagistes. Enacted: August 12, 2015. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=100117&p_count=2&p_classification=03.
- 46 Government of Mauritania. Ordonnance 2005-015 portant protection penale de l'enfant. Enacted: December 5, 2005. Source on file.
- 47 Government of Mauritania. Loi No. 93-37 relative à la repression de la production, du trafic et de l'usage illicite des stupéfiants et substances psychotropes. July 20, 1993. https://www.unodc.org/res/cld/document/mrt/loi-93-37_html/mauritania-loi_stupefiants.pdf.
- 48 Government of Mauritania. Loi N° 62132 du 29 Juin 1962. Enacted: June 29, 1962. <http://www.armee.mr/fr/index.php/2012-06-05-11-02-06>.
- 49 Government of Mauritania. Loi N° 2001-054 du portant obligation de l'enseignement. Enacted: July 19, 2001. Source on file.

- 50 Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers*. September 2012. <https://www.child-soldiers.org/shop/louder-than-words-1>.
- 51 Association «Paix» pour la lutte contre la contrainte et l'injustice. *Rapport alternatif sur la mise en oeuvre des dispositions de la Convention Relative aux Droits de l'Enfant*. September 17, 2018. https://tbinternet.ohchr.org/Treaties/CRC/Shared Documents/MRT/INT_CRC_NGO_MRT_32188_Fpdf.
- 52 Agence Mauritanienne d'Information. *L'Assemblée nationale adopte le projet de loi portant code général de la protection de l'enfant*. December 12, 2017. <http://fr.ami.mr/Depeche-43216.html>.
- 53 U.S. Embassy- Nouakchott. Reporting. April 20, 2018.
- 54 ILO Committee of Experts. *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Mauritania (ratification: 2001)*. Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3248990:NO.
- 55 ILO. *The Bridge Project: Pre-situational Analysis Report*. 2017. Source on file.
- 56 U.S. Department of State. *Country Reports on Human Rights Practices-2017: Mauritania*. Washington, DC, April 20, 2018. <https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/mauritania/>.
- 57 Kounkou-Hoveyda, Priscillia. *La Brigade des Mineurs... Une structure qui ne doit pas uniquement se réduire à Nouakchott Ouest*. C.R.I.D.E.M., 2015. <http://cridem.org/imprimable.php?article=673496>.
- 58 U.S. Embassy- Nouakchott. Reporting. January 25, 2018.
- 59 Agence Mauritanienne d'Information. *Mise en place du Conseil National de protection de l'Enfance*. July 20, 2018. <http://fr.ami.mr/Depeche-45607.html>.
- 60 ECPAT International. *Sexual Exploitation of Children in Mauritania*. August 14, 2018. <https://www.ecpat.org/wp-content/uploads/2018/07/Convention-on-the-Rights-of-the-Child-report-to-the-Committee-on-the-Rights-of-the-Child-Mauritania-English.pdf>.
- 61 UN Committee on the Rights of the Child. *Committee on the Rights of the Child examines the situation of children in Mauritania*. September 18, 2018. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23585&LangID=E>.
- 62 UN Committee on the Rights of the Child. *Replies of Mauritania to the list of issues in relation to the combined third to fifth periodic reports of Mauritania*. July 12, 2018. https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/MRT/Q/3-5/Add.1&Lang=en.
- 63 Ruteere, Mutuma. *Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance*. July 9, 2014: A/HRC/26/49/Add.1. <http://reliefweb.int/report/mauritania/report-special-rapporteur-contemporary-forms-racism-racial-discrimination>.
- 64 Government of Mauritania. *Commissariat aux Droits de l'Homme et a l'Action Humanitaire- Rapport d'Activités 2016*. 2017. http://www.cdah.gov.mr/images/Rapport_activites2016_CDHAH.pdf.
- 65 Government of Mauritania. *Décret n°2013-048 portant création l'Agence Nationale TADAMOUN*. Enacted: March 28, 2013. Source on file.
- 66 Tadamoun official. Interview with USDOL official. September 18, 2017.
- 67 ILO. *Application of International Labour Standards-Report of the Committee of Experts on the Application of Conventions and Recommendations*. 2017. http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_543646.pdf.
- 68 Government of Mauritania. *Decree 2016.002 establishing the seat and jurisdiction of the slavery criminal courts*. Enacted: January 1, 2016. Source on file.
- 69 Anti-Slavery Courts Judges official. Interview with USDOL official. September 20, 2017.
- 70 Ministry of Labor official. Interview with USDOL official. September 18, 2017.
- 71 U.S. Embassy- Nouakchott. Reporting. February 7, 2019.
- 72 U.S. Embassy- Nouakchott. Reporting. February 7, 2019.
- 73 ILO Nouakchott official. *Email communication to USDOL official*. April 20, 2018.
- 74 ILO. *Individual Case (CAS) Discussion: 105th ILC session (No.29)*. 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3284576.
- 75 ILO Committee of Experts. *Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Mauritania (ratification: 1963)*. Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3297485.
- 76 IMF. *The Informal Economy in Sub-Saharan Africa: Size and Determinants*. July 2017. <https://www.imf.org/en/Publications/WP/Issues/2017/07/10/The-Informal-Economy-in-Sub-Saharan-Africa-Size-and-Determinants-45017>.
- 77 U.S. Department of State. *Country Reports on Human Rights Practices-2016: Mauritania*. Washington, DC, March 2, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/mauritania/>.
- 78 UN Committee on the Elimination of Racial Discrimination. *Concluding observations on the combined eighth to fourteenth periodic reports of Mauritania*. May 30, 2018. https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD/C/MRT/CO/8-14&Lang=En.
- 79 IOM. *African Countries Gather in Mauritania to Discuss Migration Data, Civil Registration and Vital Statistics*. November 11, 2018. <https://www.iom.int/news/african-countries-gather-mauritania-discuss-migration-data-civil-registration-and-vital>
- 80 BBC News. *Mauritania court gives toughest sentence for slave owners*. March 30, 2018. <http://www.bbc.com/news/world-africa-43600274>.
- 81 Carrefour de la République Islamique De Mauritanie (CRIDEM). *Esclavage: la cour criminelle de Nouadhibou prononce des peines de dix et vingt ans de prison*. March 29, 2018. http://cridem.org/C_Info.php?article=709547.
- 82 Elvetach. *A Nouadhibou: The release of Rafa Bint Mohammed, after spending several months in prison*. June 14, 2018. <http://elvetach.info/node/8688>.
- 83 U.S. Embassy- Nouakchott. Reporting. June 5, 2018.
- 84 U.S. Embassy- Nouakchott. Reporting. December 19, 2018.
- 85 Amnesty International. *A sword hanging over our heads: the repression of activists speaking out against discrimination and slavery in Mauritania*. 2018. <https://www.amnesty.org/download/Documents/AFR3878122018ENGLISH.PDF>.
- 86 Human Rights Watch. *Ethnicity, Discrimination, and Other Red Lines*. February 12, 2018. <https://www.hrw.org/report/2018/02/12/ethnicity-discrimination-and-other-red-lines/repression-human-rights-defenders>.
- 87 Government of Mauritania. *Projet de Loi Portant Incrimination de la Discrimination*. 2018. Source on file.
- 88 OHCHR. *Mauritania: UN rights experts urge immediate reform of flawed anti-discrimination law*. January 31, 2018. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22618&LangID=E>.
- 89 U.S. Embassy- Nouakchott. Reporting. June 14, 2017.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

- 90 Human Rights Watch. Mauritania: Mandatory Death Penalty for Blasphemy. May 04, 2018. <https://www.hrw.org/news/2018/05/04/mauritania-mandatory-death-penalty-blasphemy>.
- 91 MauriWeb. Retour de l'application de la peine de mort en Mauritanie: "un recul net des libertés", estime Aminétou. November 18, 2018. <http://mauriweb.info/node/4041>.
- 92 Human Rights Watch. Mauritania: Repressive Laws Restrict Peaceful Speech. January 17, 2019. <https://www.hrw.org/news/2019/01/17/mauritania-repressive-laws-restrict-peaceful-speech>.
- 93 UN Human Rights Office of the High Commissioner. Death Penalty: UN experts urge Mauritania to repeal anti-blasphemy law. June 7, 2018. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23186&LangID=E>.
- 94 Ewart-James, Joanna. To speak out about slavery in Mauritania is to risk losing your liberty. The Independent. September 6, 2018. <https://www.independent.co.uk/voices/campaigns/voicesindanger/mauritania-slavery-voices-in-danger-campaign-free-expression-a8525611.html>.
- 95 The Telegraph. The African nation living under the shadow of slavery. October 14, 2018. <https://www.telegraph.co.uk/news/2018/10/14/inside-uk-allied-nation-torture-slavery-rife/>.
- 96 Amnesty International. Anti-Slavery Activists Arbitrarily Arrested. September 7, 2018. <https://www.amnesty.org/download/Documents/AFR3890462018ENGLISH.pdf>.
- 97 Amnesty International. Mauritanian Anti-Slavery Activists Released. January 23, 2019. <https://www.amnesty.org/download/Documents/AFR3897162019ENGLISH.pdf>.
- 98 RFI. Mauritanie: un député anti-esclavagiste renvoyé devant un tribunal correctionnel. December 23, 2018. <http://www.rfi.fr/afrique/20181223-mauritanie-depute-antiesclavagiste-tribunal-correctionnel>.
- 99 RFI. Mauritanie: le député anti-esclavagiste Biram Dah Abeid a été libéré. January 1, 2019. <http://www.rfi.fr/afrique/20190101-mauritanie-le-depute-anti-esclavagiste-biram-dah-abeid-ete-libere>.
- 100 U.S. Embassy- Nouakchott. Reporting. February 13, 2017.
- 101 Ministry of Justice official. Interview with USDOL official. September 18, 2017.
- 102 Government of Mauritania. Decree for Creation Interministerial Technical Committee on Human Rights. Enacted: January 14, 2015. Source on file.
- 103 Government of Mauritania. Communication Relative a la Feuille de Route Pour la Lutte Contre les Sequelles de l'Esclavage. 2014. Source on file.
- 104 Middle East Online. Mauritania agrees to adopt roadmap to eradicate slavery. February 28, 2014. <http://www.middle-east-online.com/english/?id=64541>.
- 105 Government of Mauritania. STRATEGIE NATIONALE DE CROISSANCE ACCELEREE ET DE PROSPERITE PARTAGEE. 2016. http://www.economie.gov.mr/IMG/pdf/scapp_volume_2_-_fr_16-11-2017.pdf.
- 106 Le360. Mauritanie: Une nouvelle strategie de developpement. March 22, 2017. <http://afrique.le360.ma/mauritania/economie/2017/03/21/10506->
- 107 IMF. Economic Development Document: Mauritania. May 9, 2019. <https://www.imf.org/~media/Files/Publications/CR/2018/cr18138.ashx>.
- 108 ILO. The Bridge Project. Technical Progress Report. October 2018. Source on file.
- 109 Government of Mauritania. Plan d'actions national de lutte contre la traite des personnes. 2015. Source on file.
- 110 ILO. The Bridge Project. Technical Progress Report, October 2017. Source on file.
- 111 ILO. La Mauritanie devient le deuxième pays africain à s'engager pour mettre fin à l'esclavage moderne. March 14, 2016. http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_459567/lang--fr/index.htm.
- 112 ILO. From Protocol to Practice: A Bridge to Global Action on Forced Labor. Statement of Work. 2015. Source on file.
- 113 ILO-IPEC Geneva official. Email communication to USDOL official. February 10, 2018.
- 114 World Bank. US\$19 Million to Assist Vulnerable Groups in Mauritania. September 7, 2015. <http://www.worldbank.org/en/news/press-release/2015/09/07/us19-million-to-assist-vulnerable-groups-in-mauritania>.
- 115 Cridem. Programme National Tekavoul: Objectif 1 00 000 ménages. December 27, 2018. http://cridem.org/C_Info.php?article=718717.
- 116 Alliance Sahel. Projet d'appui au déploiement du Registre Social et du programme de filets sociaux. Website, Accessed February 26, 2019. <https://www.alliance-sahel.org/projets/projet-dappui-au-deploiement-du-registre-social-et-du-programme-de-filets-sociaux/>.
- 117 Tadamoun. Actualités. Webpage, Accessed February 26, 2019. <http://www.tadamoun.mr/index.php/actualites>.
- 118 CRIDEM. Le DG de TADAMOUN inaugure une école complète dans la localité de Téthiane. November 11, 2018. http://cridem.org/C_Info.php?article=717240.
- 119 CRIDEM. Save the Children/Mauritanie : Clôture de la formation du personnel des centres d'accueil des enfants. July 29, 2018. http://cridem.org/C_Info.php?article=713971.
- 120 American Bar Association. Mauritania Programs. Accessed January 19, 2016. http://www.americanbar.org/advocacy/rule_of_law/where_we_work/africa/mauritania/programs.html#access_justice.
- 121 American Bar Association. ABA ROLI's Project to Promote the Civic Rights of Marginalized Groups in Mauritania. October 2016. http://www.americanbar.org/advocacy/rule_of_law/where_we_work/africa/mauritania/news/news-mauritania-promote-civic-rights-marginalized-groups-1016.html.
- 122 U.S. Embassy- Nouakchott. Reporting. February 22, 2018.
- 123 IOM. Countering Trafficking in Persons. January 2016. <https://www.iom.int/sites/default/files/country/docs/mauritania/IOM-Mauritania-Countering-Trafficking-in-Persons-Jan-2016.pdf>.
- 124 IOM Mauritania. Bulletin N°08 - Juin 2017 / Septembre 2017. https://www.iom.int/sites/default/files/mission_newsletter/file/Newsletter_JuinSep2017_Francais.pdf.
- 125 ILO. Annex I- Création d'emplois décents et consolidation de l'emploi existant pour les jeunes et potentiels migrants dans le secteur de la pêche artisanale. 2017. Source on file.
- 126 European Commission- International Cooperation and Development. Création d'emplois décents et consolidation de l'emploi existant pour les jeunes et potentiels migrants dans le secteur de la pêche artisanale. 2017. https://ec.europa.eu/europeaid/trust-fund-projects/creation-demplois-decents-et-consolidation-de-lemploi-existant-pour-les-jeunes_en.
- 127 UNICEF. Mauritania- Annual Report 2015. https://www.unicef.org/about/annualreport/files/Mauritania_2015_COAR.pdf.
- 128 UNICEF. Mauritania-Country Page. January 08, 2018. <https://www.unicef.org/appeals/mauritania.html>.
- 129 UNICEF. Mauritania- Annual Report 2017. https://www.unicef.org/about/annualreport/files/Mauritania_2017_COAR.pdf.

Mauritania

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

- 130 Alakhar. Mauritanie: Création d'un Conseil National de protection de l'Enfance. July 21, 2018.
<http://www.fr.alakhar.info/13842-0-Mauritanie-Creation-dun-Conseil-National-de-protection-de-lEnfance.html>.
- 131 UNICEF. Country Programme Document Mauritania 2018 - 2022. December 22, 2018.
<https://www.unicef.org/about/execboard/files/2018-PL3-Mauritania-CPD-ODS-EN.pdf>.
- 132 World Bank. Mauritania Basic Education Sector Support Project (BESSP) (P126902). December 18, 2017: Implementation Status & Results Report - Sequence 06.
<http://documents.worldbank.org/curated/en/383691513602489862/pdf/ISR-Disclosable-P126902-12-18-2017-1513602479538.pdf>.
- 133 World Bank. Mauritania Basic Education Sector Support Project (BESSP) (P126902). Restructuring Paper, February 6, 2014.
<http://documents.worldbank.org/curated/en/355531504180315374/pdf/IL-FRESDATA-EXT-P126902-08-31-2017-1504180300767.pdf>.
- 134 U.S. Embassy- Nouakchott. Reporting. March 16, 2016.

In 2018, Mauritius made a moderate advancement in efforts to eliminate the worst forms of child labor. The government implemented a National Sports Policy that created a structured after-school program for children. It also increased its labor inspections by 200 percent and approved a Special Education Needs Bill, which will reduce barriers to education for children with special needs. However, children in Mauritius engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in construction, vending, and working in apparel shops and restaurants. The government lacks a national policy to address all relevant worst forms of child labor. The Coordinating Committee on Child Labor, established in 2017, is no longer active and social programs to combat child labor are insufficient to address the extent of the problem.

Agalega Islands, Cargados Carajos Shoals, and Rodrigues are not shown.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mauritius engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-3) Children also engage in child labor in construction, vending, and working in apparel shops and restaurants. (1,2,4) Table 1 provides key indicators on children's work and education in Mauritius. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		98.2

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (5)

Data were unavailable from International Labor Organization's analysis, 2019. (6)

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	Producing and harvesting vegetables (1,2)
	Feeding livestock (4)
	Fishing, including diving, and casting nets and traps (2,7)
Industry	Working in factories and masonry (8)
	Construction (9)
Services	Domestic work (1,2)
	Working in apparel shops and restaurants (2)
	Street work, including vending, begging, and carrying goods in public markets (1,2,10,11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,9)
	Use in illicit activities, including selling drugs (2,9)

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

Mauritius

MODERATE ADVANCEMENT

Some children in Mauritius are brought into commercial sexual exploitation by their peers or family members, or through fraudulent offers of other employment. (1,3,8) Mauritius has never conducted a national child labor survey and, therefore, information on the prevalence of child labor in the country is limited. (2) The government does not publish data on child labor or the worst forms of child labor, further limiting their ability to fully address the issue. (9)

Evidence suggests that incidents of physical and psychological abuse, including corporal punishment of students by teachers, prevent some children from attending school, which increases their risk of engaging in the worst forms of child labor. Due to discrimination, children with disabilities face significant barriers in accessing education. (1,12,13) However, in November 2018, the Cabinet approved a Special Education Needs Bill, which includes establishing a regulatory authority to address and advocate for individuals with special needs, including children. (9,14)

In November 2018, the Anti-Drug and Smuggling Unit organized an anti-drug trafficking workshop with school administrators to address the increase in the number of child victims engaged in drug trafficking. (9)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Mauritius 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 Mauritius' legal framework to adequately protect children from the worst forms of child labor, including the military recruitment of children by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Sections 6 and 12 of the Employment Rights Act (15)
Minimum Age for Hazardous Work	Yes	18	Section 12 of the Employment Rights Act (15)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 8 of the Occupational Safety and Health Act (16)
Prohibition of Forced Labor	Yes		Article 6 of the Constitution; Article 2 of the Combating Trafficking in Persons Act (17,18)
Prohibition of Child Trafficking	Yes		Article 11 of the Combating Trafficking in Persons Act; Article 13A of the Child Protection Act (18,19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 14 of the Child Protection Act; Article 253 of the Criminal Code; Article 11 of the Combating Trafficking in Persons Act (18-20)
Prohibition of Using Children in Illicit Activities	Yes		Articles 30.1b-e, 38a, 41.1f, and 41.2 of the Dangerous Drugs Act (21)
Minimum Age for Voluntary State Military Recruitment	N/A†		

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A* †		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 37.2 of the Education Act (22)
Free Public Education	Yes		Article 35 of the Education Act (22)

* No conscription

† No standing military

For several years, the government has been considering adopting the Children's Bill, which aims to strengthen the existing legal framework to combat the worst forms of child labor. The bill, however, has yet to be finalized. (2,9,10,23,24)

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 authority of the Ministry of Labor, Industrial Relations, Employment, and Training (MOLIRE) 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, Industrial Relations, Employment, and Training (MOLIRE)	Enforces all labor laws, including those related to child labor. (25)
Office of the Ombudsperson for Children	Investigates any suspected or reported cases of child labor or violation of a child's rights, proposes laws and policies to advance children's rights, and implements trainings on child protection laws and prevention. (26,27)
Police Brigade for the Protection of Minors (Minors' Brigade)	Investigates crimes related to the worst forms of child labor, including child trafficking and commercial sexual exploitation. (23) Maintains a database of all trafficking incidents involving children, and refers all cases of commercial sexual exploitation to the Child Development Unit. (28)
Office of the Director of Public Prosecutions	Undertakes criminal proceedings on laws related to the worst forms of child labor in coordination with the Minors' Brigade and the judicial courts. (29,30)
Ministry of Gender Equality, Child Development and Family Welfare's (MOGE) Child Development Unit	Enforces legislation related to children and implements policies and social programs related to child development. (2,3,31) Provides social services to victims of the worst forms of child labor, including human trafficking. Provides trainings and awareness campaigns against human trafficking, including the commercial sexual exploitation of children. (2,3,31)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Mauritius took actions to combat child labor (Table 6). However, gaps exist within the authority of MOLIRE that may hinder adequate labor law enforcement, including authorization to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$1.5 million (2)	\$1.5 million (9)
Number of Labor Inspectors	95 (2)	89 (9)
Inspectorate Authorized to Assess Penalties	No (2)	No (9)
Initial Training for New Labor Inspectors	Yes (2)	Yes (9)
Training on New Laws Related to Child Labor	Yes (2)	N/A (9)
Refresher Courses Provided	Yes (2)	Yes (9)
Number of Labor Inspections Conducted	3,012† (2)	9,215 (32)

MODERATE ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Number Conducted at Worksite	3,012† (2)	9,215 (32)
Number of Child Labor Violations Found	0 (2)	4 (32)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (2)	N/A
Number of Child Labor Penalties Imposed that Were Collected	0 (2)	N/A
Routine Inspections Conducted	Yes (2)	Yes (9)
Routine Inspections Targeted	Yes (2)	Yes (9)
Unannounced Inspections Permitted	Yes (2)	Yes (9)
Unannounced Inspections Conducted	Yes (2)	Yes (9)
Complaint Mechanism Exists	Yes (2)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (9)

†Data are from January 1, 2017 to October 31, 2017. (2)

In 2018, MOLIRE increased their investigations in shops, markets, and restaurants during the summer holidays—November and December—when incidents of child labor are most prevalent; however, NGOs report that there is an insufficient number of labor inspections conducted in the informal sector, where there is evidence of child labor. Additionally, MOLIRE reported that labor inspections are not carried out in homes or private farms because labor inspectors are required to receive advance consent from the owner in order to conduct an inspection. (9)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Mauritius took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (2)	Yes (9)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (2)	N/A (9)
Refresher Courses Provided	Yes (2)	Yes (9)
Number of Investigations	4 (33)	Unknown (9)
Number of Violations Found	4 (33)	4 (32)
Number of Prosecutions Initiated	4 (32)	4 (32)
Number of Convictions	3 (33)	1 (32)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	3 (2)	Yes (32)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (9)

The first prosecution for child trafficking under the Combating Trafficking in Persons Act took place in 2017 and was transferred to the court system with a final resolution in March 2018, resulting in a conviction with a sentence of three years imprisonment. (34) In February 2018, one case of commercial sexual exploitation of a child was reported to the Minors' Brigade; however, as of November 2018, the case was still under investigation. (9) Research revealed that criminal law enforcement agencies lacked staff, transportation, and other resources to properly enforce criminal laws related to the worst forms of child labor. (35,36) In addition, reports indicate that coordination between the police and the Office of the Director of Public Prosecutions has been limited, mainly due to a lack of training and insufficient case tracking, which hinders efforts to investigate and prosecute child trafficking cases. (29,34) The government does not publicly make available information on its criminal enforcement efforts, and did not provide complete information for inclusion in this report.

The Ministry of Gender Equality, Child Development and Family Welfare's (MOGE) Child Development Unit's mutual assistance agreement with the Minors' Brigade was revised in 2017, which changed the referral process and improved services to victims of the worst forms of child labor. This agreement remained in place in 2018,

and the government continued operating a shelter dedicated to female victims of child commercial sexual exploitation. (2,9,34)

In 2018, the Child Development Unit trained 17 newly recruited officers on investigating reports of commercial sexual exploitation of children. (37) In addition, the police's Family Protection Unit and Minors' Brigade conducted more than 110 outreach campaigns on the dangers and consequences of engaging in child sex trafficking, which reached more than 31,000 people. (3)

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 coordination among agencies.

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

Coordinating Body	Role & Description
Inter-Ministerial Committee on Human Trafficking	Coordinates anti-trafficking efforts in Mauritius. Chaired by the Attorney General's Office and comprising representatives from MOLIRE, MOGE, and other ministries. (39,40) The committee met regularly during the reporting period. (9)
High Powered and Working Together Committee	Coordinates and implements activities on children's rights, including efforts to combat the worst forms of child labor. Chaired by the MOGE. (2,31) The High Powered and Working Together Committee did not meet in 2018. (32)
National Children's Council	Under the auspices of MOGE, coordinates child protection efforts in Mauritius as an independent, para-governmental entity. (2,35) In 2018, The National Children's Council provided information on child protection issues, including child trafficking, to 6,851 students in primary and secondary schools. (3)

In 2018, the Coordinating Committee of Child Labor, established by MOLIRE in February 2017, was no longer active. While the High Powered and Working Together Committee continues to exist, research was unable to determine whether it was active during the reporting period. (9) The government's efforts to combat the worst forms of child labor were hindered by a lack of coordination, information-sharing, and policy-making decisions between key coordinating mechanisms, as well as by lack of consultation with NGOs working on child protection issues. (2,9)

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 coverage of all the worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Child Safety Online Action Plan	Aims to prevent online sexual exploitation of children by strengthening the legal framework and developing awareness-raising programs. Implemented by the Ministry of Information and Communication Technology, in conjunction with the MOGE, the Minors' Brigade, and the Office of the Ombudsperson for Children. (41) In 2018, the government organized an Internet safety workshop for Safer Internet Day and conducted Internet safety education programs in schools and community centers, reaching 1,850 individuals. (32,42)
Education and Human Resources Strategy Plan (2008–2020)	Aims to improve equity of access to primary, secondary, and technical and vocational education, and to provide social services for youth. Overseen by the Ministry of Education. (43,44) In 2018, the National Assembly passed the Special Education Needs Bill to establish a regulatory authority to address and advocate for children with special needs in primary and secondary education. (14,45)
Government Development Program—Achieving Meaningful Change (2015–2019)	Aims to increase access to social protection services for vulnerable populations, including children, and emphasizes a zero-tolerance policy for the use of children in drug trafficking. (46-48) In 2018, the government organized workshops with school administrators to develop strategies to combat drug trafficking in schools. (49,50) The Commission of Enquiry on Drugs submitted its final report outlining recommendations to address drug trafficking in Mauritius. (51)
National Sports and Physical Activity Policy (2018–2028)†	Provides a structured sports program available to all ages. The policy focuses on children and young adults and is available after school hours, to help reduce children's vulnerability to child labor and illicit activities. (9,52)

† Policy was approved during the reporting period.

Mauritius

MODERATE ADVANCEMENT

Research found no evidence of policies to combat other worst forms of child labor, such as commercial sexual exploitation. In addition, the National Plan to Combat Human Trafficking, drafted in 2016, has yet to be adopted by the government. (2,39,53-55)

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
Awareness-Raising Programs on Commercial Sexual Exploitation and Human Trafficking†	Government program created to educate the public on preventing commercial sexual exploitation of children and human trafficking. (56) In 2018, MOGE and the National Children's Council conducted awareness campaigns on child abuse prevention and the prevention of sexual abuse and commercial sexual exploitation of children, reaching approximately 2,500 individuals. (32)
Community Child Protection Program†	Government program that supports child protection activities nationwide by identifying children at risk for abuse and neglect and rehabilitating child abuse victims. (2,31) In 2018, the government, in partnership with an NGO, conducted awareness-raising campaigns on commercial sexual exploitation of children and human trafficking in primary and secondary schools, reaching approximately 6,851 children and 487 adults. (32)
Drop-in Centers, Shelters, and Institutional Care†	Government programs that provide rehabilitation services to victims of commercial sexual exploitation and human trafficking. Monitored by the Child Development Unit. (23,29,31) In 2018, the government continued its annual grant of \$409,960 for the operation of a daycare center, a children's shelter, and a drop-in center for trafficking victims. The government also continued its operation of a shelter capable of hosting up to 32 children, provided reintegration services, and placed child trafficking victims into families. (3)
IOM Country Program	IOM program to build capacity of relevant government agencies to protect children from exploitation and human trafficking. (53,57) Active in 2018. (24)
Education Assistance Programs†	Government programs that increase access to quality primary education for vulnerable children, including the Eradication of Absolute Poverty Program, which provides educational support to 7,500 households in 229 geographic pockets of poverty and in the Education Priority Zones; designed to provide equal opportunities to primary school children throughout the country. (44) In 2018, programs continued to provide meals and school materials to children from vulnerable families. (45)

† Program is funded by the Government of Mauritius.

Although the government has established an oversight body to improve the effectiveness of institutional care facilities and shelters, evidence suggests that there continues to be a lack of appropriate standards of care, inadequate provision of services, and overcrowding in some centers that house orphans, child victims of commercial sexual exploitation, and child victims of other types of abuses. (29,34,52,56,58,59)

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 Mauritius (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2018
	Finalize and implement legislation to harmonize legal protections for children, such as The Children's Bill.	2018
Enforcement	Strengthen the labor inspectorate by authorizing inspectors to assess penalties.	2015 – 2018
	Increase the amount of training, human resources, and funding for agencies responsible for enforcing criminal laws related to the worst forms of child labor.	2011 – 2018
	Improve coordination between the police and the Director of Public Prosecutions to ensure that violations are adequately prosecuted.	2017 – 2018
	Publish information regarding the number of criminal investigations conducted.	2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Allow labor inspectors to conduct unannounced inspections in homes and on private farms.	2018
	Increase the number of targeted inspections in the informal sector, including the number of inspections occurring outside of summer holiday months.	2018
Coordination	Ensure that all coordinating bodies, including the High Powered and Working Together Committee, are active and are able to carry out their intended mandates.	2017 – 2018
	Ensure that coordination mechanisms share information and policy-making decisions to combat the worst forms of child labor.	2012 – 2018
Government Policies	Adopt a policy that addresses the worst forms of child labor, including commercial sexual exploitation.	2014 – 2018
	Adopt the draft National Plan to Combat Human Trafficking.	2017 – 2018
Social Programs	Collect and publish data on the prevalence of child labor in Mauritius to inform policies and programs.	2013 – 2018
	Ensure that all children, including those with disabilities, can attend school without fear of physical or psychological abuse.	2014 – 2018
	Ensure that victims of commercial sexual exploitation have access to comprehensive and quality social services.	2010 – 2018

REFERENCES

- UN Committee on the Rights of the Child. Concluding observations on the combined third to fifth periodic reports of Mauritius. February 27, 2015. *CRC/C/MUS/CO/3-5*. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/MUS/CO/3-5&Lang=En.
- U.S. Embassy- Port Louis. Reporting. January 24, 2018.
- U.S. Department of State. Trafficking in Person Report- 2018: Mauritius. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/mauritius>.
- U.S. Embassy- Port Louis. Reporting. February 25, 2015.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Port Louis official. Email communication to USDOL official. April 8, 2015.
- U.S. Embassy- Port Louis. Reporting. January 15, 2016.
- U.S. Embassy- Port Louis. Reporting. February 8, 2019.
- Office of the High Commissioner of Human Rights. Human Rights Committee considers the report of Mauritius. October 24, 2017. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22287&LangID=E>.
- Ramgulam, Anju. Célia, 12 ans: la petite fille qui vendait de l’eau. *Lexpress.mu*, November 4, 2017. <https://www.lexpress.mu/article/320041/celia-12-ans-petite-fille-qui-vendait-leau>.
- UN Committee on the Rights of Persons with Disabilities. Concluding Observations in relation to the initial report of Mauritius. September 4, 2015. *CRPD/C/MUS/CO/1*. <http://www.refworld.org/docid/55eed7a94.html>.
- Government of Mauritius. Annual Report 2013–2014. Ombudsperson for Children’s Office, September 30, 2014. <http://oco.govmu.org/English/Documents/Annual Reports/Annual report 2014.pdf>.
- Government of Mauritius. THE SPECIAL EDUCATION NEEDS AUTHORITY BILL, No. XVIII of 2018. 2018. Source on file.
- Government of Mauritius. Employment Rights Act, Act No. 33 of 2008. Enacted: September 19, 2008. Source on file.
- Government of Mauritius. The Occupational Safety and Health Act, Act No. 28 of 2005. Enacted: October 28, 2005. Source on file.
- Government of Mauritius. Constitution of the Republic of Mauritius. Enacted: March 12, 1968. http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_126778.pdf.
- Government of Mauritius. The Combating of Trafficking in Persons Act 2009, Act No. 2 of 2009. Enacted: May 8, 2009. http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_126787.pdf.
- Government of Mauritius. Child Protection Act, Act No. 30 of 1994. Enacted April 1, 1995. Source on file.
- Government of Mauritius. Criminal Code. Enacted: December 29, 1938. Source on file.
- Government of Mauritius. The Dangerous Drugs Act 2000, Act No. 41 of 2000. Enacted: December 29, 2000. <http://apps.who.int/medicinedocs/documents/s18370en/s18370en.pdf>.
- Government of Mauritius. Education Act. Enacted: December 28, 1957. Source on file.
- Government of Mauritius. Written communication. Submitted in response to U.S. Department of Labor Federal Register Notice “Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor”. Port Louis: January 4, 2016. Source on file.
- U.S. Embassy- Port Louis official. Email communication to USDOL official. April 8, 2018.
- U.S. Department of State. Country Reports on Human Rights Practices-2018: Mauritius. Washington, DC. March 13, 2019. <https://www.state.gov/2018-country-reports-on-human-rights-practices/mauritius/>.
- Government of Mauritius. The Ombudsperson for Children Act, Act No. 41 of 2003. Enacted: November 20, 2003. Source on file.
- Government of Mauritius. Ombudsperson for Children: Annual Report 2017–2018. 2018. <http://oco.govmu.org/English/Documents/Annual Reports/Ombudsperson AR 2017-2018.pdf>.
- U.S. Embassy- Port-Louis. Reporting. March 2, 2017.
- U.S. Embassy- Port Louis. Reporting. January 10, 2018.

MODERATE ADVANCEMENT

- 30 Government of Mauritius. The Director of Public Prosecutions. Accessed February 12, 2017.
<http://dpp.govmu.org/English/AboutUs/Office of DPP/Pages/The-DPP.aspx>.
- 31 Ministry of Gender Equality, Child Development and Family Welfare. Child Development Unit Profile. Accessed June 22, 2018.
<http://gender.govmu.org/English/Pages/Units/Child-Development-Unit.aspx>.
- 32 U.S. Embassy- Port Louis official. Email communication to USDOL official. July 9, 2019.
- 33 U.S. Embassy- Port Louis. Reporting. February 26, 2018.
- 34 U.S. Embassy- Port Louis official. Email communication to USDOL official. June 19, 2018.
- 35 U.S. Department of State. Country Reports on Human Rights Practices- 2016: Mauritius. Washington, DC: March 3, 2017.
<http://www.state.gov/reports/2016-country-reports-on-human-rights-practices/mauritius/>.
- 36 U.S. Embassy- Port Louis. Reporting. January 15, 2015.
- 37 U.S. Embassy- Port Louis. Reporting. March 18, 2019.
- 38 Samoisy, Laura. Journée mondiale contre le travail des enfants | Rita Venkatasawmy, Ombudsperson for Children: «Un problème caché et difficile à combattre». June 14, 2017.
<https://www.5plus.mu/actualite/journee-mondiale-contre-le-travail-des-enfants-rita-venkatasawmy-ombudsperson-children-un>.
- 39 Government of Mauritius. Sixth National Assembly- Parliamentary Debates. July 19, 2016.
<http://mauritiusassembly.govmu.org/English/hansard/Documents/2016/hansard1716.pdf>.
- 40 U.S. Embassy- Port Louis. Reporting. February 2, 2017.
- 41 Government of Mauritius, National Computer Board. Child Safety Online Action Plan for Mauritius. January 2009.
<http://www.govmu.org/portal/sites/sid2010/files/Final Action Plan version.pdf>.
- 42 Government of Mauritius. Safer Internet Day 2018 Promotes More Responsible Use of Internet. Website, Assessed July 3, 2019
<http://www.govmu.org/English/News/Pages/Safer-Internet-Day-2018-promotes-more-responsible-use-of-internet.aspx>.
- 43 Government of Mauritius. Education and Human Resources Strategy Plan 2008–2020. October 2009. Source on file.
- 44 UNESCO. Education for All 2015 National Review- Mauritius. May 2015.
<http://unesdoc.unesco.org/images/0023/002310/231077e.pdf>.
- 45 U.S. Embassy- Port Louis official. Email communication to USDOL official June 28, 2019.
- 46 Government of Mauritius. Minister of Gender Equality, Child Development and Family Welfare calls for reforms. Government Information Service, March 5, 2015.
<http://www.govmu.org/English/News/Pages/Minister-of-Gender-Equality-Child-Development-and-Family-Welfare-calls-for-reforms.aspx>.
- 47 The President of the Republic of Mauritius. Government Program - Achieving Meaningful Change (2015–2019). First Session of the Sixth National Assembly of Mauritius. January 27, 2015.
<http://www.lexpress.mu/sites/lexpress/files/attachments/article/2015/2015-01/2015-01-27/govprog2015.pdf>.
- 48 Government of Mauritius. Mauritius: Government Programme 2015–2019 - Emphasis On Development With a Human Dimension. Press Release, January 28, 2015.
<http://allafrica.com/stories/201501281495.html>.
- 49 Government of Mauritius Government committed to enforce “Zero Tolerance” policy towards drugs in schools, says Education Minister. Website, Accessed July 3 2019.
<http://www.govmu.org/English/News/Pages/Government-committed-to-enforce-“Zero-Tolerance”-policy-towards-drugs-in-schools,-says-Education-Minister.aspx>.
- 50 Government of Mauritius International cooperation needed to effectively address drug scourge, says Prime Minister. Website, Accessed July 3, 2019.
<http://www.govmu.org/English/News/Pages/International-cooperation-needed-to-effectively-address-drug-scourge,-says-Prime-Minister.aspx>.
- 51 Government of Mauritius. The Commission of Inquiry on Drug Trafficking Report. Accessed July 5, 2018.
<http://cut.mu/wp-content/uploads/2018/12/Commission-of-Enquiry-on-Drug-Trafficking-Report-optimized.pdf>.
- 52 Government of Mauritius. Annual Report 2015–2016. Ombudsperson for Children’s Office, 2016.
http://oco.govmu.org/English/Documents/Annual Reports/Ombudsperson_Annual_report.pdf.
- 53 IOM. Mauritius Overview. October 2016.
<http://www.iom.int/countries/mauritius>.
- 54 U.S. Embassy- Port Louis. Reporting. March 31, 2018.
- 55 Government of Mauritius. Validation Workshop on Dev. of a Comprehensive Strategy on Street Children in Mauritius. 2017.
<http://gender.govmu.org/English/Events/Pages/Validation-Workshop-on-Dev-of-a-Comprehensive-Strategy-on-Street-Children-in-Mauritius.aspx>.
- 56 U.S. Department of State. Trafficking in Person Report- 2017: Mauritius. Washington, DC, June 27, 2017.
<https://www.state.gov/reports/2017-trafficking-in-persons-report/mauritius/>.
- 57 IOM. IOM Builds Capacity to Combat Human Trafficking in Mauritius. Press Release, January 29, 2016.
<https://www.iom.int/news/iom-builds-capacity-combat-human-trafficking-mauritius>.
- 58 U.S. Embassy- Port Louis. Reporting. January 12, 2017.
- 59 U.S. Embassy- Port Louis official. Email communication to USDOL official. April 27, 2016.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW AND PRACTICE THAT DELAYED ADVANCEMENT

In 2018, Moldova made a minimal advancement in efforts to eliminate the worst forms of child labor. The government passed Government Decree No. 378 to grant financial allowances to children left without parental care until they reach the age of 18. Labor inspectors also attended regional anti-trafficking workshops, including a policy planning workshop organized by the Permanent Secretariat for the National Committee for Combating Trafficking in Persons and the Organization for Security and Co-operation in Europe. However, despite new initiatives to address child labor, Moldova is receiving an assessment of minimal advancement because of a regression in law and practice that delayed advancement in eliminating the worst forms of child labor. In August 2018, the government amended Law No. 131 through Law No. 179, indicating that the State Labor Inspectorate does not have legal authority to conduct on-site inspections without at least first requesting and then receiving insufficient documentation from the business being inspected or conducting a risk assessment that finds reasonable indicators of a possible violation. The amendments to Law No. 131 allow announced on-site inspections only if the State Labor Inspectorate gives the business owner five day's notice that the inspection will be conducted within ten business days. Unannounced inspections, even those based on a complaint, including at the request of law enforcement or other state bodies, are permitted only based on a risk assessment that indicates an immediate threat to the environment, life, health, or property. These stringent new measures have been interpreted by the State Labor Inspectorate as stripping the body of its ability to conduct unannounced on-site inspections. Other stakeholders maintain that unannounced inspections are still possible when required conditions are met. In addition, when any inspection is conducted, the labor inspector must now only focus on the alleged violation outlined in the complaint; if other violations, such as child labor, are uncovered, they cannot be addressed. Children in Moldova engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. Moldova lacks a sufficient number of labor inspectors to provide sufficient coverage of the workforce. In addition, training is needed for new investigators and, due to government restructuring, no occupational health and safety inspections, including of hazardous child labor, were conducted during the reporting period.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Moldova engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. (I-5) Table I provides key indicators on children's work and education in Moldova.

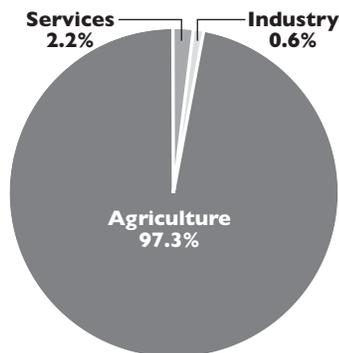
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	24.3 (102,105)
Attending School (%)	5 to 14	92.1
Combining Work and School (%)	7 to 14	29.0
Primary Completion Rate (%)		89.9

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (10)

Source for all other data: International Labor Organization’s analysis of statistics from Labour Force Survey-Child Labour Survey, 2009. (11)

Figure 1. Working Children by Sector, Ages 5-14



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	Agriculture,† including growing crops and raising farm animals (2,4,12-16)
	Forestry, including transporting heavy loads (2,4)
	Fishing, including feeding fish (2,4)
Industry	Construction,† including carrying heavy loads and welding† (2,4,9,12,17)
	Working in the garment sector (2,4)
	Baking,† including confectionary and food preservation (2,4)
Services	Street work, including begging (1,2,5,18,19)
	Domestic work (2,4,18)
	Working in wholesale, retail, restaurants, and transportation (2,4,13,16,17)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation and forced begging, each sometimes as a result of human trafficking (2-5,8,20)

† 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.

Lack of information limits an assessment of the types of work that children perform and the sectors in which they work, including for the secessionist region of Transnistria. (2,4,20) The Transnistrian region is not under the control of Moldovan central authorities, who are prevented from carrying out inspections and law enforcement there. (21)

Both boys and girls are recruited for commercial sexual exploitation. (1,3-5,22) Traffickers recruit children as young as age 10 for prostitution and other forms of commercial sexual exploitation. (1) Moldova is also a destination for child sex tourism. (3,5,13,20,22)

Child trafficking, particularly of children suffering from familial neglect, continues to be a concern in Moldova and Transnistria. (2,5,8,14,23,24,25) The number of children left behind by migrant parents is increasing in both regions. These children are particularly vulnerable to child labor and human trafficking, especially those in orphanages or boarding schools. (2,5,8,12,18,23,26,25) Vulnerable children from Transnistria are at an increased risk of being trafficked through Ukraine’s Odessa region. (27,28) Victims from the Turkic-speaking autonomous territorial region of Gagauzia in Moldova were also likely to be trafficked to Turkey for commercial sexual exploitation. (5)

Although the Education Code provides for free and compulsory education until age 18, sometimes parents are asked to pay informal fees for supplies and gifts to teachers. (12,19,29) Occasional discrimination by some school officials and other non-Roma students may create barriers to access education. Roma children are particularly vulnerable to school dropout. (2,18,25,31)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Moldova 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's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 46 of the Labor Code (32)
Minimum Age for Hazardous Work	Yes	18	Article 255 of the Labor Code; Article 3 of the Collective Convention on Elimination of the Worst Forms of Child Labor (32,33)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Government Decision No. 541; Articles 2 and 3 of the Collective Convention on Elimination of the Worst Forms of Child Labor; Articles 103, 105, and 255–256 of the Labor Code (32-34)
Prohibition of Forced Labor	Yes		Article 44 of the Constitution; Article 168(b) of the Criminal Code; Article 7 of the Labor Code; Collective Convention on Elimination of the Worst Forms of Child Labor (32,33,35,36)
Prohibition of Child Trafficking	Yes		Articles 2 and 25–29 of the Law on Preventing and Combating Trafficking in Human Beings; Collective Convention on Elimination of the Worst Forms of Child Labor (33,37)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 175, 206, and 208 of the Criminal Code; Article 6 of the Law on the Rights of the Child; Collective Convention on Elimination of the Worst Forms of Child Labor; Law No. 207 (33,36,38,39)
Prohibition of Using Children in Illicit Activities	Yes		Article 208 of the Criminal Code; Collective Convention on Elimination of the Worst Forms of Child Labor (33,36)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 12 of Law No. 162-XVI on the Status of Servicemen (40)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 28 of Law No. 1245-XV on the Preparation of Citizens for Homeland Defense (41)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 26 of the Law on the Rights of the Child; Article 206(d) of the Criminal Code (36,38)
Compulsory Education Age	Yes	18	Article 13 and 152 of the Education Code of 2014 (42)
Free Public Education	Yes		Article 35 of the Constitution; Article 9 of the Education Code of 2014 (35,42)

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.

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 authority of the Ministry of Health, Labor, and Social Protection that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Health, Labor, and Social Protection's State Labor Inspectorate (SLI)	Enforces child labor laws. (2,4) Manages the National Referral System to Protect and Assist Victims and Potential Victims of Trafficking in Human Beings (NRS), which has been implemented in all of Moldova's regions; each regional coordinator works directly with law enforcement, NGOs, and schools, and leads victim rehabilitation efforts. (2,8) Builds the capacity of multidisciplinary teams at the local level, which includes community social assistants, police officers, and NGO workers to improve victim identification and referral for crisis intervention and rehabilitation. (48) Through the National Coordination Unit and Child Labor Monitoring Unit (CLMU), coordinates activities related to the protection of victims and those vulnerable to human trafficking. In 2018, the CLMU had one inspector. (28)
Center for Combating Trafficking in Persons (CCTIP)	Leads criminal investigations and arrests perpetrators, including for the trafficking of children for both labor and sexual exploitation. (2) Subdivision of the Ministry of the Interior with criminal investigators. (4,12) Works with the Border Police Inspectorate, National Corruption Center, Customs Service, and the Security and Intelligence Service (SIS). (2) SIS enforces criminal laws against child trafficking and sexual exploitation through cooperation and information exchange with the Border Police, the National Corruption Center, and the Customs Service. (2,12,49)
Prosecutor General's Office (PGO) for Organized Crime and Special Cases (PCCOCS) and Anti-Trafficking Bureau	Monitor and analyze trafficking in persons cases in the Anti-trafficking Bureau within the PGO. (5) Include an investigative and prosecution unit within the national-level Specialized Prosecution Office for Organized Crime and Special Cases (PCCOCS). (1) In 2018, PCCOCS employed 10 prosecutors to work on human trafficking during the investigative stages, and in 2019 nine special judges were nominated to work on human trafficking cases. (5) A specialized unit within the Anti-trafficking Bureau focuses on child pornography.
People's Advocate (Ombudsman)	Specializes in child protection issues, including child labor, and defends children's constitutional rights. Public authorities, officials, and institutions are required to cooperate with the Ombudsman. (12)
Ministry of Justice (MOJ)	Enforces criminal laws against child trafficking and sexual exploitation. (2,4,49) Drafts, consults, and proposes all processes related to criminal legislation for the government's approval before they enter into force. (50)

Due to government restructuring in 2017-2018, the authority to enforce occupational safety and health (OSH) regulations was removed from the mandate of the State Labor Inspection (SLI) and given to other agencies, such as the National Public Health Agency, National Food Safety Agency, and Technical Surveillance Agency. (2,4,51,52) The move affected the ability to conduct OSH inspections and adequately detect hazardous child labor. (53-55) In addition, the responsibilities of the Child Labor Monitoring Unit (CLMU) within the SLI structure have not been clearly defined, and its role has changed under Law No. 131 from coordinating child labor monitoring with the broader SLI to merely requesting a report of child labor from other agencies when child labor is found. (28) This has affected the SLI's enforcement capabilities in terms of detecting child labor. (53)

The Prosecutor General's Office Anti-trafficking Bureau, which monitors human trafficking investigations, including child trafficking, recently expanded its mandate to investigate online and digital child sexual exploitation cases. (21)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Moldova took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Health, Labor, and Social Protection that may hinder adequate labor law enforcement, including the lack of unannounced inspections in sectors in which child labor is known to occur.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$850,000 (4)	\$690,000 (2)
Number of Labor Inspectors	87 (4)	45 (2)
Inspectorate Authorized to Assess Penalties	No (4)	Yes (21)
Initial Training for New Labor Inspectors	Yes (4)	Yes (2)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW AND PRACTICE THAT DELAYED ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Training on New Laws Related to Child Labor	Yes (4)	Yes (21)
Refresher Courses Provided	Yes (56)	Yes (2)
Number of Labor Inspections Conducted	3,295 [†] (4)	2,191 [‡] (2)
Number Conducted at Worksite	3,295 [†] (4)	2,006 [‡] (2)
Number of Child Labor Violations Found	15 [†] (4)	15 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	11 [†] (4)	3 (2)
Number of Child Labor Penalties Imposed that Were Collected	2 [†] (4)	4 (21)
Routine Inspections Conducted	Yes (4)	Yes (2)
Routine Inspections Targeted	No (4,51)	Yes (2)
Unannounced Inspections Permitted	Yes (4)	Yes (2)
Unannounced Inspections Conducted	Yes (4)	No (2)
Complaint Mechanism Exists	Yes (4)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (2)

[†] Data are from January 1, 2017 to November 30, 2017.

[‡] Data are from January 2018 to November 2018.

The SLI inspects labor relations of enterprises, institutions, and organizations, regardless of their type or legal form. (2,57) Law No. 140 and Law No. 131 outline the primary responsibilities of the SLI, including how and when labor inspections occur. (58-60) Although the SLI can inspect private farms, it cannot inspect private homes and does not have jurisdiction to inspect enterprises in Transnistria. (2,53)

The number of labor inspectors is likely insufficient for the size of Moldova's workforce, which includes over 1,295 million workers. (62) According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transition economies, Moldova would employ roughly 65 labor inspectors. (62,63) The SLI has also reported that the number of labor inspectors is insufficient in order to adequately conduct child labor inspections. (2) In addition, Decree 788, which was amended during the reporting period, placed a limit on the total number of inspectors that can be hired to a total of 45 labor inspectors covering 10 territories. (21,53,54,64) As a result the total number of labor inspectors decreased by 42 from the previous year. (2,57)

As a result of August 2018 amendments to Law No. 131 and government restructuring in 2017–2018, the SLI no longer has authority to investigate workplace accidents and enforce penalties for OSH violations, including of hazardous working conditions for children. (58,61) There are 13 inspectors employed by 10 non-SLI agencies who can conduct discretionary OSH inspections only in specific areas outlined in the law. (2) In 2018, while three new labor inspectors received trainings on OSH, no OSH inspections, including of hazardous child labor, were conducted by these 10 agencies due to the lack of knowledge and training. (53,54) Therefore, the SLI was mandated to continue to inspect severe workplace injuries until June 2019, when all OSH-related inspections will be permanently transferred to the 10 other non-SLI agencies. (53,54,61)

Both government and NGO sources reported that the child labor violations identified by the government during the reporting period did not reflect the magnitude of the child labor problem in Moldova due to legal changes that impacted the government's ability to conduct announced and unannounced inspections. (28,53,54,64) In 2018, the government passed Law No. 179, which amends Law No. 131 to mandate that all inspections be done by desk inspections first, rather than worksite inspections. (86) According to these amendments, the SLI also does not have any legal authority to conduct an on-site inspection without at least first requesting and then receiving insufficient documentation from the business being inspected or conducting a risk assessment that finds reasonable indicators of a possible violation. (58,86) The amendments to Law No. 131 allow announced on-site inspections only if the SLI gives the business owner a five day notice that the inspection will be conducted within ten business days. (58,86) Unannounced inspections, even those based on a complaint, including at the request of law enforcement or other state bodies, are permitted only based on a risk assessment that indicates an immediate threat to the environment, life, health, or property. (86) The introduction of these strict measures

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW AND PRACTICE THAT DELAYED ADVANCEMENT

has limited the SLI's ability to conduct unannounced on-site inspections; no unannounced inspections were conducted in 2018. These measures affected the SLI's ability to conduct child labor inspections during the year. (2,58,65,66)

When an inspection is being conducted, the labor inspector can only focus on the alleged violation outlined in the complaint, even if other violations, such as child labor, are observed. (53,61)

In 2018, 15 minors were detected and removed from child labor by labor inspectors and police officers. In addition, labor inspectors attended regional workshops on how to combat human trafficking, including a policy planning workshop organized by the Permanent Secretariat for National Committee for Combating Trafficking in Persons (NCCTIP) and OSCE. (2)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Moldova 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 insufficient training for new 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	N/A (4)	No (2)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (4)	Yes (2)
Refresher Courses Provided	Yes (4)	Yes (2)
Number of Investigations	34† (4)	32‡ (2)
Number of Violations Found	34† (4)	53‡ (2)
Number of Prosecutions Initiated	34† (4)	32‡ (2)
Number of Convictions	20 (4)	24 (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	4 (21)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (2)

† Data are from January 1, 2017 to December 1, 2017.

‡ Data are from January 2018 to November 2018.

During the first 11 months of 2018, the Center for Combating Trafficking in Persons (CCTIP) identified 53 children as victims of human trafficking, of which 34 were engaged in commercial sexual exploitation, 17 were victims of labor trafficking, and 2 were trafficked for begging. In 2018, more than 900 law enforcement officials and prosecutors in CCTIP received more than 14 trainings related to laws, sexual assault crimes, and the use of digital information in investigating and prosecuting cybercrimes. (2,5) The National Institute of Justice (NIJ) also provided training on human trafficking and institutionalized its own cybercrime trainings. The number of trainings in 2018 was considered sufficient in strengthening law enforcement capacity. (2)

In Moldova in recent years, there has been an increase in child online sexual exploitation and sexual abuse. In 2018, the government identified 20 cases in which human trafficking victims were recruited via the Internet. During 2013–2018, the Prosecutor General's Office opened 185 cases of online child sexual exploitation, including child pornography. (21) In 2017–2018, of these cases 78 child trafficking cases involved child online sexual exploitation. The National Institute of Justice, which trains prosecutors and judges, has institutionalized a 1-day training module on "Identification, investigation and trial of crimes against children with the means of Informational Communication Technologies (ICTs)." (21)

In 2017, CCTIP arrested a boarding school director who trafficked children for sexual and labor exploitation. In September 2018, the court sentenced him and an accomplice to 17 years and six months in prison and forced him to pay damages incurred to the children. (2,5,12,67) The court ordered both to pay a minor victim \$47,080. In total, 23 people were sentenced to prison related to commercial sexual exploitation of minors during the reporting period. (2)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW AND PRACTICE THAT DELAYED ADVANCEMENT

Authorities do not possess sufficient ability to identify potential victims. (5) Prosecutors, members of the judiciary, and law enforcement continue to be implicated and/or administratively punished for corrupt practices related to human trafficking. (5) Legislation providing special interview services for child victims of trafficking is not uniformly applied, causing re-traumatization. (5)

Online recruitment, solicitation of sexually explicit content, and online threats are inconsistently regarded as child trafficking or sexual harassment, which is considered to be a less serious crime. (2) In addition, law enforcement failed to use special investigation measures to investigate child pornography, which investigators fail to classify as a serious crime. (2)

Sources have reported that newly hired staff at CCTIP lack knowledge on human trafficking and how ICT is used to facilitate human trafficking crimes. (5)

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 adequate coordination of efforts to address child labor, including coordination efforts of the National Steering Committee on the Elimination of Child labor.

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

Coordinating Body	Role & Description
National Steering Committee on the Elimination of Child Labor (NSC)	Coordinates work on child labor issues at the national level among representatives from workers' organizations, NGOs, academia, and government. (4,68,69)
National Committee for Combating Trafficking in Persons (NCCTIP)	Coordinates efforts to prevent and combat child trafficking and child sexual exploitation. Members include the SLI, SIS, Agency for Public Services, and other government departments. (2,4,12,27) Drafts legislation related to human trafficking, participates in anti-trafficking campaigns, and develops national action plans. (8) Met three times in 2018 to assess progress on human trafficking. (5)
National Council for the Protection of Child Rights	Coordinates national efforts to combat child exploitation and improve access to education. (12) Includes the Deputy Minister of Health, Labor, and Social Protection, and representatives from the Ministry of Justice, Education, Interior, Foreign Affairs and European Integration, and others. (70) Has a working group to discuss existing gaps in the current birth registration process and develop recommendations. (70,71) Met twice in 2018. (28)

The government passed Government Decree No. 143, which includes strategies to improve coordination on child welfare among education, healthcare, and social protection professionals. (28,46)

The National Steering Committee on the Elimination of Child Labor did not meet in 2018. (28)

During the reporting period, the structure of the Permanent Secretariat of the National Committee for Combating Trafficking in Persons (NCCTIP) was merged with the Permanent Anti-trafficking Secretariat, the Secretariat of the National Child Protection Council, and the Secretariat for the National Commission for Collective Consultation and Bargaining. (2,72) This change may affect the ability of the government to counter human trafficking and assist victims because the number and authority of human trafficking specialists were reduced. (5,28) In addition, a source reported that the budget and resources were insufficient for NCCTIP. (5)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Child Protection Strategy (2014–2020)	Includes the goals of preventing and combating violence, neglect, and the exploitation of children. (73,74) In 2018, Government Decision No. 143 was passed, which outlines how employees in primary healthcare and kindergarten teachers can intervene in child situations of serious concern preventing risks related to child welfare. In addition, community social assistants were trained on child rights protection, and social support services in the sum of \$2.5 million were allocated to support families with children. (28,46,55)
Action Plan for Preventing and Combating Trafficking in Human Beings (2018–2020)†	Outlines how law enforcement agencies work to combat human trafficking, provides support to victims of human trafficking, develops the skills of professionals, and aims to create standards for the operation of victim witness rooms for children, among other tasks. (5,75) Plan will be carried out by the Permanent Secretariat Directorate of NCCTIP. (5) Launched in 2018 and includes an accompanying National Strategy for 2018–2023. (5,75)
Moldova Strategy Country Note Program Priorities (2018–2022)†	Focuses on the realization of all children’s rights, including education and health, especially for children from ethnic minorities, children from low-income families, children with disabilities, and children left behind as a result of migration. (76) Launched in 2018. (55)
Moldova-EU Association Agenda (2017–2019)	Protects and promotes children’s rights. (55,69) In 2018, a draft law was written to amend current legislation on legal representation of children’s rights and interests, and custody and legal responsibility for childcare, including children whose parents have gone abroad. (55)
Moldova Action Program (2016–2018)	Promoted the rights and protection of children, including preventing and combating violence, neglect, and exploitation. (77) In 2018, in partnership with the Center for Child Abuse Prevention, the government began developing a set of indicators for assistance and referral of child victims or potential child victims of violence. (55)
Action Plan to Support the Roma People (2016–2020)	Aims to promote social inclusion of Roma. Includes the goals of education, social protection, and combating discrimination. (78,79) Funded by the government, private partnerships, and the EU. In 2018, provided access to social services and facilitated the provision of Roma mediators. (55)
Action Plan on the Promotion of Internet Safety for Children and Teenagers (2017–2020)	Encourages a safer digital environment for children and teenagers by reducing illegal content on the Internet and educating children about its dangers. (80) Yearly reports on implementing the Action Plan are to be submitted to the government. (80) Active in 2018 by creating an app dedicated to online safety for children. (55,81)

† Policy was approved during the reporting period.

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
Decent Work Country Program (2016–2020)	ILO program that aims to gather statistics on the prevalence of child labor; build the capacity of the labor inspectorate, and combat labor exploitation in the construction and agriculture sectors. (83)
50 Inspired Actions (2019–2030)*	UNICEF-implemented project that aims to end violence against children through regulations, government policies, reporting mechanisms, and awareness raising. (2,82)
Center for Protection and Assistance for Victims of Human Trafficking	Child victims of human trafficking are offered legal and social support, accommodation, psychological assistance, and family reunification services. (4) Active in 2018. (28)
Shelters for Victims of Human Trafficking†	Government-funded shelters for children from Moldova and Transnistria. (27) Offer accommodations, rehabilitation, and reintegration services. (84) The Chisinau shelter provided services to 19 children in 2018. (5)
Child Helpline (2014–2018)	Implemented by La Strada. (4) Provided psychological counseling and information to parents and children experiencing violence, neglect, or exploitation. Assisted 3,532 children and received 5,441 calls in 2018. (2)
Hotlines†	One human trafficking hotline is managed by the MHLSP and refers cases within the National Referral System. (5) The NGO National Center for the Prevention of Child Abuse also manages a child helpline, which received 5,853 calls in 2018. In addition, the General Prosecutor’s Office managed the Anti-Trafficking Green Line Telephone. (5) Moreover, La Strada managed the national hotline for women and children, which received 3,096 calls in 2018. (5)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW AND PRACTICE THAT DELAYED ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Social Aid Program and Social Support for Families with Children†	In the case of the Social Aid Program, implemented by the district departments of social assistance and family protection and has provided aid for low-income families since 2008. (2,85) In 2018, allocated \$12 million for assistance during the winter. (2) Regarding the Social Support Service for Families with Children, has operated since 2013 and expanded in 2018 to cover the entire country with the government allocating \$2.5 million for families. (2)

* Program was launched during the reporting period.

† Program is funded by the Government of Moldova.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,5)

In 2018, the government passed Government Decree No. 378 to grant daily allowances to children left without parental care until the age of 18. (43,44) During the reporting period, the government allocated \$600,000 for these allowances to 2,600 children. (24,28,45)

Existing social programs do not meet the current level of need, particularly for child victims of trafficking requiring long-term care and children working in agriculture. (5)

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 Moldova (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Ensure that labor inspectors can conduct on-site and unannounced inspections.	2018
	Increase the number of labor inspectors and funding for the State Labor Inspectorate to ensure that it provides inspectors with the financial resources necessary to inspect child labor.	2012 – 2018
	Ensure that OSH inspections are carried out in all sectors where child labor is known to occur so that child labor violations are accurately reflected.	2018
	Ensure that investigators, including police officers and CCTIP, receive training on laws and investigative techniques related to the worst forms of child labor, especially for online child pornography and children left behind without parental care.	2016 – 2018
Coordination	Ensure that the National Steering Committee on the Elimination of Child Labor meets and carries out their mandate.	2013 – 2018
	Ensure all coordinating bodies are able to carry out their intended mandates against human trafficking.	2018
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs, including for the secessionist region of Transnistria.	2013 – 2018
	Enhance efforts to eliminate barriers to education by removing informal fees for school supplies.	2018
	Institute targeted support programs that eliminate discrimination and violence against Roma children and promote equal access to education.	2014 – 2018
	Ensure sufficient support for child trafficking victims and children working in agriculture.	2015 – 2018

REFERENCES

- U.S. Embassy- Chisinau. Reporting. February 9, 2018.
- U.S. Embassy- Chisinau. Reporting. January 15, 2019.
- U.S. Department of State. Trafficking in Persons Report- 2018: Moldova. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/moldova/>.
- U.S. Embassy- Chisinau. Reporting. January 23, 2018.
- U.S. Embassy- Chisinau. Reporting. February 28, 2019.
- U.S. Department of State. Trafficking in Persons Report- 2017: Moldova. Washington, DC: June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/moldova/>.
- U.S. Department of State. Country Report on Human Rights Practices- 2014: Moldova. Washington, DC. June 25, 2015. <http://www.state.gov/documents/organization/236766.pdf>.
- U.S. Embassy- Chisinau. Reporting. February 4, 2016.
- U.S. Embassy- Chisinau. Reporting. January 15, 2016.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW AND PRACTICE THAT DELAYED ADVANCEMENT

- 11 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original Data from Labour Force Survey-Child Labour Survey, 2009. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 12 U.S. Embassy- Chisinau. Reporting. January 17, 2017.
- 13 Government of Moldova. Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor. December 28, 2016: Written communication. Source on file.
- 14 National Farmer’s Federation of Moldova official. Interview with USDOL official. May 23, 2017.
- 15 CNPAC official. Interview with USDOL official. May 22, 2017.
- 16 UN Committee on Economic, Social, and Cultural Rights. Concluding observation on the third periodic report of the Republic of Moldova. October 17, 2017: E/C.12/MDACO/3. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/MDA/CO/3&Lang=En.
- 17 ILO-IPEC. Working Children in the Republic of Moldova: The Results of the 2009 Children’s Activities Survey. July 2010. https://www.ilo.org/ipecc/informationresources/WCMS_IPEC_PUB_15016/lang-en/index.htm.
- 18 UN Women. Study on the Situation of Romani Women and Girls in the Republic of Moldova. 2014. <http://www.md.undp.org/content/unct/moldova/en/home/publications/joint-publications/study-on-the-situation-of-romani-women-and-girls-in-the-republic.html>.
- 19 UN Committee on the Rights of the Child. Combined fourth and fifth periodic reports of the Republic of Moldova (continued). September 25, 2017: CRC/C/SR.2234. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/SR.2234&Lang=en.
- 20 UN Committee on the Rights of the Child. Concluding Observations on the Initial Report of the Republic of Moldova Submitted Under 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. October 29, 2013: Report No. CRC/C/OPSC/MDA/CO/1. <http://www.refworld.org/docid/5280f80a4.html>.
- 21 U.S. Embassy Chisinau official. Email communication to USDOL official. July 24, 2019.
- 22 U.S. Department of State. Country Reports on Human Rights Practices-2017: Moldova. Washington, DC. April 20, 2018. <https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/moldova/>.
- 23 Jarzabek, Hanna. Transnistria the price of unilateral independence. Equal Times. January 11, 2019. <https://www.equaltimes.org/transnistria-the-price-of#.XD9ST1xKi70>.
- 24 Government of Moldova. As many as 2,600 children without parental care to daily receive state allowances. April 18, 2018. <https://gov.md/en/content/many-2600-children-without-parental-care-daily-receive-state-allowances>.
- 25 U.S. Department of State. Country Reports on Human Rights Practices-2018: Moldova. Washington, DC. March 13, 2019. <https://www.state.gov/wp-content/uploads/2019/03/MOLDOVA-2018-HUMAN-RIGHTS-REPORT.pdf>.
- 26 Committee on the Elimination of Discrimination Against Women. CEDAW Concluding Observations: Republic of Moldova. October 18, 2013: Report No. CEDAW/C/MDA/4-5. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/.
- 27 U.S. Embassy Chisinau. Reporting. February 10, 2017.
- 28 U.S. Embassy Chisinau official. Email communication to USDOL official. March 5, 2019.
- 29 U.S. Embassy- Chisinau official. Email communication to USDOL official. April 11, 2017.
- 30 UNICEF. UNICEF Annual Report 2013-Moldova. 2013. http://www.unicef.org/about/annualreport/files/Moldova_COAR_2013.pdf.
- 31 UN Committee on the Elimination of Racial Discrimination. Concluding observations on the combined tenth and eleventh periodic reports of the Republic of Moldova. June 7, 2017: CERD/C/MDA/CO/10-11. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD/C/MDA/CO/10-11&Lang=En.
- 32 Government of Moldova. Labour Code of the Republic of Moldova, N 154-XV from 28.03.2003. Enacted: 2003. <http://www.lexadin.nl/wlg/legis/nofr/oeur/arch/mol/labour.doc>.
- 33 Government of Moldova. Collective Convention on Elimination of Worst Forms of Child Labour, No. 8. Enacted: July 12, 2007. Source on file.
- 34 Government of Moldova. List of Jobs with Difficult, Harmful and/or Dangerous Working Conditions Prohibited for Children Under Age 18, Nr. 541. Enacted: July 7, 2014. Source on file.
- 35 Government of Moldova. Constitution of the Republic of Moldova. Enacted: 1994. <http://www.e-democracy.md/en/legislation/constitution>.
- 36 Government of Moldova. Criminal Code of the Republic of Moldova. Enacted: April 18, 2002. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=331268&lang=2>.
- 37 Government of Moldova. Law on Preventing and Combating Trafficking in Human Beings, No. 241-XVI. Enacted: October 20, 2005. As amended by Law No. 32. Enacted: March 15, 2018. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=375030&lang=2>.
- 38 Government of Moldova. Law on the Rights of the Child, No. 338 Enacted: December 15, 1994. <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=311654>.
- 39 Government of Moldova. Law No. 207, Amendments to Criminal Code. Enacted: July 7, 2016. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=367243&lang=2>.
- 40 Government of Moldova. On the Status of Military Personnel, No. 162. XVI. Enacted: July 7, 2005. http://lex.justice.md/document_rom.php?id=7F265895:857C7FF0.
- 41 Government of Moldova. On the Preparation of Citizens for Homeland Defense, No. 1245-XV. Enacted: July 18, 2002. <http://lex.justice.md/md/312749/>.
- 42 Government of Moldova. Education Code, Nr. 152. Enacted: November 23, 2014. <http://lex.justice.md/md/355156/>.
- 43 Government of Moldova. Resolution Nr. 378 on approval of the Regulation on the appointment and payment of daily allowances for children. Chisinau. April 25, 2018. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=375170&lang=2>.
- 44 Government of Moldova. Higher allowances to children left without parental care. Chisinau. December 26, 2018. <https://gov.md/en/content/higher-allowances-3800-children-left-without-parental-care-moldova>.
- 45 Government of Moldova. Children left without parental care, placed in alternative care services, will receive daily allowances. Ministry of Health, Labor and Social Protection. April 18, 2018. http://www.e-copil.md/children_without_parental_care/.
- 46 Government of Moldova. Government Decree No. 143 Chisinau. February 12, 2018. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=374294&lang=2>.
- 47 Government of Moldova. Law No. 32. Chisinau. March 16, 2018. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=375030&lang=2>.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW AND PRACTICE THAT DELAYED ADVANCEMENT

- 48 The Ministry of Labour, Social Protection, and Family of the Republic of Moldova. NRS: A Framework for Cooperation Between Public Authorities and Civil Society for Preventing and Combating Trafficking in Human Beings. 2013. Report No. 1316.037. Source on file.
- 49 U.S. Embassy Chisinau. Reporting. January 24, 2014.
- 50 U.S. Embassy Chisinau official. Email communication to USDOL official. May 9, 2014.
- 51 U.S. Embassy Chisinau official. Email communication to USDOL official. May 23, 2018.
- 52 Government of Moldova. Law No. 185. Chisinau. September 21, 2017. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=371983&lang=2>.
- 53 State Labor Inspectorate officials. Interview with USDOL official. April 15, 2019.
- 54 National Agency for Public Health officials. Interview with USDOL official. April 16, 2019.
- 55 U.S. Embassy Chisinau official. Email communication to USDOL official. March 11, 2019.
- 56 U.S. Embassy Chisinau official. Email communication to USDOL official. March 3, 2018.
- 57 Government of Moldova. Government Decree 788 on the organization and functioning of the State Labor Inspectorate. Enacted: February 28, 2018. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=349841&lang=2>.
- 58 Government of Moldova. Law on State Control of Business Activities, No. 131. Enacted: June 6, 2012. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=344613&lang=2>.
- 59 Government of Moldova. Law on Approving the Methodology for Planning State Control Over Business Activity Based on Analysis of Risk Criteria for the Inspection Conducted by the State Labour Inspectorate, Government Decision No. 375. Enacted: May 27, 2014. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=353186&lang=1>.
- 60 Government of Moldova. Law on State Labor Inspectorate, No. 140. Enacted: May 10, 2001. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=312768&lang=2>.
- 61 U.S. Embassy- Chisinau. Reporting. May 20, 2019.
- 62 CIA. The World Factbook. Accessed January 17, 2019. <https://www.cia.gov/Library/publications/the-world-factbook/geos/md.html>.
- 63 UN. World Economic Situation and Prospects 2012 Statistical Annex. New York. 2012. http://www.un.org/en/development/desa/policy/wesp/wesp_.
- 64 ILO official. Interview with USDOL official. April 15, 2019.
- 65 ILO. Application of International Labour Standards 2019: Report of the Committee of Experts on the Application of Conventions and Recommendations. Geneva: ILO. February 8, 2019. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_670146.pdf.
- 66 ILO CEACR. Observation (CEACR) - adopted 2017, published 107th ILC session. 2018. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100_COMMENT_ID:3417448.
- 67 U.S. Department of State. Trafficking in Persons Report- 2019: Moldova. Washington, DC: June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/moldova/>.
- 68 European Union. Recommendation No 1/2017 of the EU-Republic of Moldova Association Council of 4 August 2017 on the EU-Republic of Moldova Association Agenda [2017/1489]. August 4, 2017. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:22017D1489>.
- 69 Government of Moldova. National Action Plan for the Implementation of the Moldova-EU Association Agenda 2017-2019. December 30, 2016. Source on file.
- 70 Government of Moldova. Interinstitutional Working Group to Identify Problems in Mechanisms to Ensure Child Rights to Birth Registration. 2016. <http://www.cnpdc.gov.md/en/grupul-de-lucru/grupul-de-lucru-interinstitutional-pentru-identificarea-problemeilor-existente>.
- 71 Government of Moldova. National Council for Protection of Child Rights Rule Nr. 1. Enacted: April 4, 2016. http://www.cnpdc.gov.md/sites/default/files/document/attachments/hotarire_var_5_semnata.pdf.
- 72 Government of Moldova. Law No. 915. Enacted: September 24, 2018. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=377412&lang=2>.
- 73 U.S. Embassy- Chisinau. Reporting. January 15, 2015.
- 74 Government of Moldova. Child Protection Strategy, No. 434. Enacted: October 6, 2014. <http://lex.justice.md/md/353459/>.
- 75 Government of Moldova. Decision No. 461. On the approval of the National Strategy for Preventing and Combating Trafficking in Human Beings for the years 2018-2023 and the Action Plan for the years 2018-2020 regarding its implementation. Chisinau. May 22, 2018. http://antitrafic.gov.md/public/files/Strategy_and_Plan_antitrafic_ENG_publicat.pdf.
- 76 UNICEF. Moldova Strategy Note Country Program Priorities 2018-2022. 2018. http://files.unicef.org/transparency/documents/Moldova_Strategy_Note_Final.pdf.
- 77 Government of Moldova. Action Programme of the Government of the Republic of Moldova for 2016-2018. 2016. http://www.gov.md/sites/default/files/document/attachments/government_of_republic_of_moldova_-_action_programme_of_the_government_of_republic_of_moldova_for_2016-2018.pdf.
- 78 Government of Moldova. Action Plan to Support the Roma Ethnic Population of the Republic of Moldova for the Years 2016-2020. June 9, 2016. http://lex.justice.md/UserFiles/File/2016/mo163-168ru/ANEXA_734.docx.
- 79 Government of Moldova. Approval of the Plan of Action to Support the Ethnic Roma Population of the Republic of Moldova for the Years 2016-2020, Decision No. 734. Enacted: June 9, 2016. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=365368&lang=2>.
- 80 Government of Moldova. Action Plan on the Promotion of Internet Safety for Children and Teenagers (2017–2020). March 15, 2017. http://gov.md/sites/default/files/document/attachments/intr28_27.pdf.
- 81 Government of Moldova. Cabinet approves new measures to enhance children's online safety. May 23, 2018. <https://gov.md/en/content/cabinet-approves-new-measures-enhance-childrens-online-safety>.
- 82 UNICEF. Ending Violence Against Children in Moldova: 50 INSPIRED actions. October 10, 2018. Source on file.
- 83 ILO. Decent Work Country Programme 2016-2020. 2016. http://www.ilo.org/wcmsp5/groups/public/---ed_mas/---program/documents/genericdocument/wcms_562108.pdf.
- 84 U.S. Embassy- Chisinau. Reporting. February 23, 2015.
- 85 Government of Moldova. Law No. 133 on Social Benefits. June 13, 2008. <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=329197&lang=1>.
- 86 Government of Moldova. Law No. 179. For amending some legislative acts. Enacted: July 26, 2018. <http://lex.justice.md/md/376851/>.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2018, Mongolia made a minimal advancement in efforts to eliminate the worst forms of child labor. The government conducted two major surveys on child labor and protection issues. In addition, the Family, Child, and Youth Development Agency, the General Agency for Specialized Investigation, and the ILO conducted a joint training on preventing child and forced labor for 64 child rights officers and labor inspectors. However, despite new initiatives to address child labor, Mongolia is receiving this assessment because the government did not permit the labor inspectorate to conduct unannounced inspections, which may have impeded the enforcement of child labor laws. Children in Mongolia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation. Children also perform dangerous tasks in mining and horse jockeying. Mongolia continues to have a number of legal statutes that do not meet international standards for the protection of children.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mongolia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation. Children also perform dangerous tasks in mining and horse jockeying. (1-3,4) Table I provides key indicators on children's work and education in Mongolia. Data on some of these indicators are not available from the sources used in this report.

Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	13.2 (Unavailable)
Attending School (%)	5 to 14	96.3
Combining Work and School (%)	7 to 14	14.1
Primary Completion Rate (%)		92.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2013. (6)

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	Animal husbandry,† including herding† (2-8,9)
Industry	Construction,† including carrying and loading bricks, cement and steel framework, mixing construction solutions such as lime or cement,† binding steel framework, and cleaning at the construction site† (2,3,8,9-11)
	Mining† coal,† gold, and fluorspar (2,3,8,9,10,12-14)
Services	Horse jockeying† (1,3,8,9,15,16)
	Scavenging in garbage dumpsites (2,3,9,17)
	Handling freight† (2,3,9)
	Domestic work† (3,9,16)
	Ticket-taking for public transportation† (3,9,16)
	Street work, including vending† and washing cars (9,18,19)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography (3,7,9,20)
	Forced labor in begging (3,7)
	Forced labor in construction, mining, agriculture, horse jockeying, animal husbandry, industrial sectors, and contortionist work. (7,11)

† 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.

Mongolia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Mongolian children are generally trafficked internally for the purpose of commercial sexual exploitation in saunas, bars, hotels, karaoke clubs, and massage parlors. (3,7,9,17,21) Children also work as horse jockeys and face a number of health and safety hazards, including exposure to extremely cold temperatures, risk of brain and bone injuries, and fatal falls. (1,9,15,21-24) Participation in pre-training and horse racing during the November 1–May 1 racing season may also negatively impact children’s school attendance, particularly when children as young as age 7 can participate in horse racing. (15,22,24) Furthermore, 9 out of 10 children exploited in situations of hazardous work are boys. (2,3,8) According to Mongolia’s National Child Labor Survey, children’s employment is more prevalent in rural areas than in urban areas. (2,25)

As the mining industry continues to grow in the southern part of Mongolia, there is increased risk for children, particularly girls, of being exploited in prostitution by drivers waiting to cross the border into China. Nightlife establishments in and around mining towns also pose a risk of sexual exploitation of children. (7) Mining workers sometimes leave their children at home alone while on extended shift rotations, during which time the children are at elevated risk of sex trafficking. Child forced labor also occurs in connection with artisanal mining. (4)

The GASI conducted two major surveys in 2018, one on the use of child horse jockeying nationwide, and the other on the nationwide prevalence and distribution of child labor. These surveys were made publically available upon request in October 2018. (9,26) As a result of the nationwide inspections conducted in conjunction with the surveys, 53 children under the age of 7 were prevented from participating in horse races, and 495 children were found working in the informal sector. (9) In addition, the Ministry of Justice and Home Affairs provided funding to a local NGO to conduct a survey on the prevalence of labor exploitation, including trafficking in persons. (26)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Mongolia 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 Mongolia’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 109 of the Law on Labor (27)
Minimum Age for Hazardous Work	Yes	18	Article 141 of the Law on Labor; List of Jobs and Occupations Prohibited to Minors (27,28)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Jobs and Occupations Prohibited to Minors; Law on the National Naadam Holiday (28,29)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	No		Articles 16.4 and 16.10 of the Criminal Code; Article 7 of the Law on Labor; Article 7 of the Law on the Rights of the Child (27,30-32)
Prohibition of Child Trafficking	Yes		Law on Combating Trafficking in Persons; Article 13.1 of the Criminal Code (30,32,33)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 12.3, 13.1, and 16.8–16.9 of the Criminal Code; Articles 8.1.3 and 10.2 of the Combating Pornography and Prostitution Act 30,32,34)
Prohibition of Using Children in Illicit Activities	No		Articles 16.1–16.4 and 16.8–16.10 of the Criminal Code (30,32)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 12 of the Law on Military (35)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 12 of the Law on Military (35)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 46 of the Law on Education (36)
Free Public Education	Yes		Article 16 of the Constitution of Mongolia; Articles 6.1-6.3 of the Law on Education (37,38)

In January 2018, the government passed Government Resolution No. 19, which prohibits children under the age of 12 from participating in winter and spring races held between the first day of the Lunar New Year and May 1st. Additionally, in March 2018, the government amended the List of Jobs and Occupations Prohibited to Minors to prevent children under the age of 12 from participating in horse jockeying and training from the Lunar New Year (sometime between the end of January and the end of February) through May 1st. (9,39) However, because the Lunar New Year is a vague timeframe with a different start date every year, child horse jockeys can still work as early as January. (21)

Mongolia's legal framework does not meet several international standards to protect children. (30,32,33) The minimum age for work does not apply to children in the informal sector or to those who are self-employed. (27) The Child Rights Protection Law does not specifically criminalize penalties for forced labor or slavery. Laws do not specifically criminalize forced labor other than forced begging and forced hazardous work. (27,30-32) Laws related to the commercial sexual exploitation of children do not create criminal penalties for the use of children in prostitution. (30,32,34) Furthermore, laws prohibiting the use of children in illicit activities do not criminally prohibit the use, procurement, or offering of a child for the production and trafficking of drugs. (30,32)

During the reporting period, the Ministry of Labor and Social Protection, in conjunction with the ILO, launched a study to determine all necessary legal framework amendments required for Mongolia to ascend to the ILO's Protocol of 2014 to the Forced Labor Convention. (26)

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 authority of the General Agency for Specialized Inspection (GASI) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
General Agency for Specialized Inspection (GASI)	Enforces labor laws, including those related to child labor. Conducts inspections at registered businesses. (19) As an independent agency, reports to the Deputy Prime Minister. (18) This agency was active during the reporting period. (39)

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Family, Child, and Youth Development Agency (FCYDA)	Implements and promotes government policies, legislation, and projects for children; supports child development and social participation; prevents children from becoming victims of violence; and provides social services. (39) Maintains a nationwide database for tracking case status and social services needs of vulnerable children; accessible from local and central offices. (9) Maintains a nationwide, toll-free Child Helpline, “108,” that captures child labor and child rights violations and is staffed by 22 employees, a social worker, and response team available 24 hours a day. (3,9,40,41) Reports to the Ministry of Labor and Social Protection. This agency was active during the reporting period. (39)
National Police Agency	Maintains primary responsibility for investigating criminal cases. (39) Provides protection to victims and witnesses throughout the judicial process. Reports to the Ministry of Justice and Home Affairs. (39) There are several divisions and departments under its authority that work to enforce laws on child labor. The Metropolitan Police Department oversees police operations in Ulaanbaatar’s nine district police offices, enforces labor laws, and identifies children in hazardous labor. (18,19) The Crime Prevention Division works to protect unattended children on the streets, and identifying and returning children to their parents or referring them to Child Care and Protection Centers. (39) The Juvenile Crime Prevention Unit protects children from being victims of crime and prevents them from committing crimes. (9,42) The Organized Crime Division, located under the Criminal Police Department, receives referrals, and opens formal criminal investigations into human trafficking and sexual exploitation cases, while working with the Prosecutor’s Office to decide whether or not to take a case to court. Oversees the Anti-Trafficking Unit. (18,19,43,44) The National Police Agency was active during the reporting period. (39)

During the reporting period, there were reports of authorities from the Metropolitan Police Department and the Criminal Police Department who were fining, arresting, detaining, and charging child trafficking victims for crimes and administrative offenses. (7,26)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Mongolia took actions to combat child labor (Table 6). However, gaps exist within the authority of GASI that may hinder adequate labor law enforcement, including inspection planning.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (3)	Unknown (9)
Number of Labor Inspectors	63 (3)	66 (9)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (9)
Initial Training for New Labor Inspectors	Yes (3)	Yes (9)
Training on New Laws Related to Child Labor	N/A (3)	N/A (9)
Refresher Courses Provided	Yes (3)	Yes (9)
Number of Labor Inspections Conducted	Unknown (3)	2,010 (9)
Number Conducted at Worksite	Unknown (3)	Unknown (9)
Number of Child Labor Violations Found	Unknown (3)	63 (9)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (3)	15 (9)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (3)	15 (9)
Routine Inspections Conducted	Yes (3)	Yes (9)
Routine Inspections Targeted	Yes (3)	Yes (9)
Unannounced Inspections Permitted	No (3)	No (9)
Unannounced Inspections Conducted	No (3)	No (9)
Complaint Mechanism Exists	Yes (3)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (9)

In 2018, the Family, Child, and Youth Development Agency (FCYDA) employed 32 officers who oversaw child protection issues, including child labor. (9) In addition, the FCYDA launched a fingerprinting registration system to improve regulation of child jockeying. (24) However, NGO and government officials reported that the enforcement of child labor laws remained challenging due to the legal requirement that GASI must give employers 48 hours advance notification before conducting an inspection, which provides employers with enough time to conceal violations. (3,7,9)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Two to three times each year, the government conducts internal trainings for labor inspectors. In July 2018, with funding from the EU, GASI, FCYDA, and the ILO, the government organized training on preventing child and forced labor for 64 child rights officers and labor inspectors. (9) In November 2018, the U.S. Embassy sponsored an International Visitor Leadership Program training session for 10 senior-level GASI officials. The training focused on occupational, safety, health issues, and best practices to address child labor issues. (9)

The government only provides child labor inspections at horse racing events once a year. During these inspections, the government verifies that riders meet minimum age requirements, use safety equipment, and obtain required insurance. (9)

During the reporting period, the government and NGOs noted that funding and resources for inspectors were insufficient, as was the total number of inspectors. (7,9,21,26) It was noted that there were no inspectors specifically dedicated to child labor. (9) Additionally, the number of labor inspectors is likely insufficient for the size of Mongolia’s workforce, which includes about 1.2 million workers. According to the ILO’s technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Mongolia would employ about 80 labor inspectors, which would require the hiring of 17 additional inspectors to meet this threshold. (45,46)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Mongolia took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient 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	Unknown	Yes (9)
Training on New Laws Related to the Worst Forms of Child Labor	No (3)	Unknown (9)
Refresher Courses Provided	No (3)	Yes (9)
Number of Investigations	Unknown	Unknown (9)
Number of Violations Found	Unknown	Unknown (9)
Number of Prosecutions Initiated	Unknown	Unknown (9)
Number of Convictions	Unknown	Unknown (9)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (39)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (9)

In 2018, there were 15 separate trainings focused on trafficking in persons, preventing the sexual exploitation of children, improving investigative tactics, and enhancing the provision of support services. (9,39)

Police officers reported a general lack of knowledge and training on how to apply criminal trafficking laws to cases of commercial sexual exploitation of children. Authorities use provisions of the Criminal Code, which carry less stringent penalties when boys are the victims of human trafficking due to the misconception among many government officials that only girls can be victims of human trafficking. (4) As a result, many cases that could have been prosecuted under the human trafficking article of the Criminal Code were instead prosecuted under related articles of the Criminal Code that carry lighter penalties. (4,19,47)

The National Police Agency’s Organized Crime Division investigators use an 11-question risk assessment checklist to help them accurately identify human trafficking victims. Investigators refer victims who meet more than five of the criteria to short- or long-term care facilities. (3,9) The FYCDA runs a temporary (24 to 168 hours) shelter for children, but they have the ability to provide a maximum of 6 months shelter service, depending on the severity of the case. (3,9)

Mongolia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Due to the issuance of 3 separate directives to its supporting agencies asking for improved public awareness and better identification methods, the FCYDA was able to identify 534 children working in sectors on the List of Jobs and Occupations Prohibited to Minors who were potential victims of child labor. All of these children were screened using the 11-question risk assessment checklist, and received health, education, and social services. (9) During the reporting period, there were reports that child sex trafficking victims were penalized with fines. (9)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
National Committee for Children	Serves as overall coordinating body for nationwide child protection efforts. Implements the National Program on Child Development and Protection (2017–2021). (9) During the reporting period, met for the first time on May 8, 2018, to discuss their work plan. (39)
Anti-Trafficking Sub-Council	Coordinates government efforts to combat human trafficking and monitors implementation of anti-trafficking legislation. Functions as part of the Council on Crime Prevention under the Ministry of Justice and Home Affairs. (11,19,26) Has 15 members representing 12 different organizations, including two NGOs. (11) During the reporting period, met to discuss their work plan for the year. (39)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Program on Child Development and Protection (2017–2021)	Incorporates the National Program for the Elimination of the Worst Forms of Child Labor and National Action Plan. (3) Coordinates child labor and child protection issues through the Ministries of Labor and Social Protection; Education, Culture, Science and Sports; and Health. (3) During the reporting period, in an effort to advance the National Program on Child Development and Protection, FCYDA accredited 41 NGOs to assist in providing child protection services. (9,48) This policy was active during the reporting period. (39)
National Program on Combating Trafficking in Persons (2017–2021)	Aims to strengthen efforts to prevent and combat different types of human trafficking, including the commercial sexual exploitation of children, and to improve protective services for victims. (3,7,17) This policy was active during the reporting period. (39)
State Policy on Herders (2016–2020)	Describes the acceptable minimum conditions and criteria for employing children in herding. (49) Activities include projects to improve housing and access to information for herders, and ensure that children engaged in herding receive an education. Each year, the government allocates 1 percent of its budget to implement the policy. (50) This policy was active during the reporting period and in its second phase. (39)
Three-Pillar Development Policy (2018–2020)†	Calls for improvements in education, health, social welfare, and labor policies through 2020. Priorities include the education, safety, and health of vulnerable children. (48) This policy was active during the reporting period. (39)

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor

Program	Description
Children's Money Program†	General Agency for Social Welfare and Service, General Agency for State Registration, and Human Development Fund program that distributes approximately \$8 per month to children under age 18 whose families meet certain economic criteria. (3,53) This program was active during the reporting period. (39)
School Lunch Program‡	Government program that subsidizes meals to encourage low-income children to attend school, particularly at the secondary level. (19) This policy was active during the reporting period. (39)

† Program is funded by the Government of Mongolia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (18)

NGOs reported that the \$8 per month funding for families participating in the Children's Money Program is insufficient. (9,39)

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 Mongolia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws clearly and comprehensively criminalize using, procuring, or offering all children under age 18 for prostitution, the production of pornography, and pornographic performances.	2014 – 2018
	Ensure that the minimum age for work applies to children in the informal sector and those that are self-employed.	2018
	Ensure that the law criminally prohibits using, procuring, or offering of children under age 18 in the production and trafficking of drugs.	2016 – 2018
	Ensure that all forms of forced labor are criminally prohibited.	2016 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Ensure that laws adequately prohibit children under the age of 18 from horse racing at all times of the year.	2017 – 2018
Enforcement	Cease fining, arresting, detaining, or charging child trafficking victims with crimes and administrative offenses, as a result of having been subjected to human trafficking.	2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2014 – 2018
	Publish information on the labor inspectorate funding and the number of labor inspections conducted at worksites.	2015 – 2018
	Publish criminal law enforcement data, including the number of investigations, violations found, prosecutions initiated, and convictions achieved.	2017 – 2018
	Ensure that investigators receive training on new laws related to the worst forms of child labor.	2017 – 2018
	Strengthen the inspection system by permitting the General Agency for Specialized Inspections to provide sufficient funding, allocate resources, and conduct unannounced inspections, including conducting regular inspections at horse racing events.	2013 – 2018
Social Programs	Ensure that the Children's Money Program is sufficiently funded to support its participants.	2018

REFERENCES

- Ambrose, Drew, and Daniel Connell. Mongolia's child jockeys risk death to race. Al Jazeera. August 28, 2017. <https://www.aljazeera.com/indepth/features/2017/08/mongolia-child-jockeys-risk-death-race-170826063128607.html>.
- ILO, and National Statistical Office of Mongolia. Report of National Child Labour Survey 2011–2012. Ulaanbaatar: 2013. Source on file.
- U.S. Embassy- Ulaanbaatar. Reporting. January 30, 2018.
- U.S. Department of State. Trafficking in Persons Report- 2019: Mongolia. Washington, DC, June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/mongolia/>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2013. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 7 U.S. Department of State. Trafficking in Person Report- 2018: Mongolia. Washington, DC, 2018.
<https://www.state.gov/reports/2018-trafficking-in-persons-report/mongolia/>.
- 8 U.S. Department of State. Trafficking in Person Report- 2017: Mongolia. Washington, DC. June 27, 2017.
<https://www.state.gov/reports/2017-trafficking-in-persons-report/mongolia/>.
- 9 U.S. Embassy- Ulaanbaatar. Reporting. January 30, 2019.
- 10 ILO. Children Exploited in Mongolian Gold Rush. YouTube. February 23, 2016.
<https://www.youtube.com/watch?v=qG-uQbyGBSw>.
- 11 U.S. Embassy- Ulaanbaatar. Reporting. February 14, 2014.
- 12 UCW. Understanding Children's Work and Youth Employment Outcomes in Mongolia. Rome. June 2009.
http://www.ucw-project.org/attachment/child_labour_youth_employment_Mongolia20110627_163644.pdf.
- 13 U.S. Embassy- Ulaanbaatar. Reporting. January 30, 2015.
- 14 Government of Mongolia. GASI Child Labor Inspection Report. 2018. Source on file.
- 15 Legal Research Center. The rights of child horse jockeys in spring horse racing. Ulaanbaatar, 2015. Source on file.
- 16 U.S. Embassy- Ulaanbaatar official. Email communication to USDOL official. April 4, 2018.
- 17 U.S. Embassy- Ulaanbaatar. Reporting. February 14, 2018.
- 18 U.S. Embassy- Ulaanbaatar. Reporting. January 15, 2016.
- 19 U.S. Embassy- Ulaanbaatar. Reporting. January 17, 2014.
- 20 U.S. Embassy- Ulaanbaatar. Reporting. January 13, 2017.
- 21 U.S. Department of State. Country Reports on Human Rights Practices- 2017: Mongolia. Washington, DC, 2018.
<https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/Mongolia/>.
- 22 Brown, A. In Mongolia, Bringing Attention to the Plight of Child Jockeys. UNICEF, November 3, 2014.
http://www.unicef.org/infobycountry/mongolia_76668.html.
- 23 The Straits Times. No joy ride: Mongolian child jockeys risk their lives in dangerous horse races despite ban. The Straits Times, March 10, 2017.
<http://www.straitstimes.com/asia/east-asia/no-joy-ride-mongolian-child-jockeys-risk-their-lives-in-dangerous-horse-races-despite>.
- 24 Davaasharav, Munkchimeg. Rights groups urge better treatment for Mongolia child jockeys. Reuters, July 14, 2018. Source on file.
- 25 Understanding Children's Work. The Twin Challenges of Child Labor and Educational Marginalisation in the East and South-East Asia Region. Rome. June 2015.
http://www.ucw-project.org/attachment/child_labour_education_southEast_East_Asia20150604_160451.pdf.
- 26 U.S. Embassy- Ulaanbaatar. Reporting. February 19, 2019.
- 27 Government of Mongolia. Law of February 5, 2016, Amending the Labor Code of Mongolia, No. 25 Enacted: 1999. Source on file.
- 28 Government of Mongolia. The List of Jobs Prohibited to Minors (unofficial translation). Enacted: 2016. Source on file.
- 29 Government of Mongolia. Law on the National Naadam Holiday. Enacted: June 19, 2003.
<http://legalinfo.mn/law/details/17?lawid=17>.
- 30 Government of Mongolia. Criminal Code of Mongolia (Revised). Enacted: 2002.
http://www.unodc.org/res/cld/document/mng/2001/criminal_code_of_mongolia_html/Mongolia_Criminal_Code_2002.pdf.
- 31 Government of Mongolia. Law on the Protection of the Rights of the Child with Amendments. Enacted: 1999, and Amended: 2003. Source on file.
- 32 Government of Mongolia. Criminal Code (Amended). Enacted: July 1, 2017. Source on file.
- 33 Government of Mongolia. Law on Combating Trafficking in Persons. Enacted: 2012. Source on file.
- 34 Government of Mongolia. Combating Pornography and Prostitution Act. Enacted: 1998. Source on file.
- 35 Government of Mongolia. Law on Military. Enacted: September 1, 2016.
<http://legalinfo.mn/law/details/12124?lawid=12124>.
- 36 Government of Mongolia. Law on Education. Enacted: May 03, 2002.
<http://legalinfo.mn/law/details/9020?lawid=9020>.
- 37 Government of Mongolia. Constitution of Mongolia. Enacted: 1992.
<http://www.crc.gov.mn/en/k/xf/1q>.
- 38 Government of Mongolia. Law of Mongolia on Education. Enacted: 2002.
http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=71503.
- 39 U.S. Embassy- Ulaanbaatar official. Email communication with USDOL official. July 18, 2019.
- 40 Byambajav, E. New Child Helpline Launched. Cited: February 8, 2017.
<http://www.wvi.org/mongolia/article/new-child-helpline-launched>.
- 41 U.S. Embassy- Ulaanbaatar. Reporting. January 13, 2017.
- 42 U.S. Embassy- Ulaanbaatar. Email communication with USDOL official. January 31, 2019.
- 43 U.S. Embassy- Ulaanbaatar official. Email communication to USDOL official. May 13, 2014.
- 44 U.S. Embassy- Ulaanbaatar official. Email communication with USDOL official. July 31, 2019.
- 45 CIA. The World Factbook. January 31, 2019. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 46 UN. 2017 World Economic Situation and Prospects. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 47 U.S. Embassy- Ulaanbaatar. Reporting. February 2, 2016.
- 48 Government of Mongolia. Resolution for the Endorsement of the Millennium Development Goals-Based Comprehensive National Development Strategy of Mongolia. Enacted: 2008.
<http://www.carecprogram.org/uploads/docs/MON-National-Development-Strategy-en.pdf>.
- 49 Government of Mongolia. Approval of Government Policy on Herders. Ulaanbaatar. 2009. Source on file.
- 50 U.S. Embassy- Ulaanbaatar official. Email communication to USDOL official. March 23, 2016.
- 51 ILO-IPEC. Global Action Program on Child Labour Issues - Technical Progress Report. April 2017. Source on file.
- 52 ILO-IPEC. SafeYouth@Work Project. Technical Progress Report, October 2017. Source on file.
- 53 U.S. Department of State official. Email communication to USDOL official. May 22, 2018.

In 2018, Montenegro made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Interior's Beggar Task Force investigated 246 people, out of which 33 were juveniles, and 22 children were sent to Social Welfare Centers. Labor inspectors also received trainings on forced child labor and informal work from the Ministry of Interior's Office for the Fight Against Trafficking in Persons and the ILO. In addition, the Supreme State Prosecutor and Police Director adopted a decision to establish a Counter Human Trafficking Task Force, and the government passed the Strategy for Inclusive Education, which aims to provide education to all children in the country, including children with disabilities. Moreover, the Shelter for Victims of Human Trafficking, Forced Begging, and Forced Marriages helped four minors in 2018. Although the government made meaningful efforts in all relevant areas during the reporting period, the government did not secure convictions related to the worst forms of child labor. Children in Montenegro engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. In addition, research found that the scope of programs to address child labor in street work or forced begging is insufficient.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Montenegro engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. (1,3-5,6) Table 1 provides key indicators on children's work and education in Montenegro.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	18.3 (77,591)
Attending School (%)	5 to 14	91.6
Combining Work and School (%)	7 to 14	19.9
Primary Completion Rate (%)		90.4

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2013. (8)

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
Services	Street work, including vending small goods and begging (1,9-12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking (5,6,13,14)
	Forced begging, sometimes as a result of human trafficking (5,12,15)
	Domestic work as a result of human trafficking (15-17)
	Use in illicit activities, including drug trafficking and harvesting (3,4)

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

Montenegro is a source, destination, and transit country for children trafficked for forced labor, including forced begging, especially among Romani children. (3,5,10,12,6) Some Romani girls from Montenegro are sold into servile marriages in Montenegro and Kosovo, where they are also forced into domestic servitude. (16-18,6)

Montenegro

MODERATE ADVANCEMENT

Children, especially girls, are trafficked for commercial sexual exploitation, internally and transnationally within the region and to Western Europe. (5,12,19,6)

Some Roma, Ashkali, and Balkan Egyptian children experience challenges in obtaining birth registration, which sometimes makes school enrollment difficult, increasing their vulnerability to engage in child labor. (4,5,10-12,20,21) The higher rate of unregistered children is mostly due to registration costs, parents' lack of awareness of the importance of registration, and parents' lack of identification documents. (22,21) In addition, some children with disabilities, especially in rural areas, experience difficulty accessing education and have limited government social services available. (4,21,23,24)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Montenegro 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's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 16 of the Labor Law (25)
Minimum Age for Hazardous Work	Yes	18	Article 17 of the Labor Law (25)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 104 and 106 of the Labor Law; Articles 7–8 of the Regulations on Measures of Protection in the Workplace (25,26)
Prohibition of Forced Labor	Yes		Article 444 of the Criminal Code; Articles 28 and 63 of the Constitution (27,28)
Prohibition of Child Trafficking	Yes		Articles 444–446 of the Criminal Code (28)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 209–211 of the Criminal Code (28)
Prohibition of Using Children in Illicit Activities	Yes		Articles 300–301 of the Criminal Code (28)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 47, 188, and 195 of the Declaration of the Law on the Army of Montenegro; Articles 162–163 of the Law on the Armed Forces (29,30)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Articles 47, 188, and 195 of the Declaration of the Law on the Army of Montenegro; Articles 162–163 of the Law on the Armed Forces (29,30)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 444 of the Criminal Code (28)
Compulsory Education Age	Yes	15	Article 4 of the Law on Primary Education (31)
Free Public Education	Yes		Article 75 of the Constitution (27)

* No conscription (29)

The Regulations on Measures of Protection in the Workplace prescribes workplace protections and prohibits specific hazardous activities for children, including workplaces that would expose them to physical, biological, or chemical hazards. (9,26)

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 Social Welfare (MLSW) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Labor Inspectorate	Leads and monitors the enforcement of labor laws, including those that protect working children and affect working conditions throughout the country. (2,3,9,22,32,33) Part of the Inspectorate General. (34)
Police Directorate within the Ministry of Interior	Investigates and enforces criminal laws on forced labor and human trafficking for commercial sexual exploitation. (2,32,35) Coordinates law enforcement actions, including identification of victims of human trafficking. (2,3,35) Prevents and investigates child begging by removing child beggars from the streets through the Beggar Task Force. (5,14)
Supreme State Prosecutor	Collects data on the number of police investigations, convictions, and court rulings, and submits them to the Office for the Fight Against Trafficking in Persons. (2,3,35,36)
Ministry of Justice	Enforces the Criminal Code by prosecuting crimes against children, including human trafficking, child begging, and child abuse. (3,33)
Ministry of Labor and Social Welfare (MLSW)	Protects children and families by providing social, child, and family protection in its Social Welfare Centers. Identifies potential victims of human trafficking. (2,3,35)
Ministry of Interior's Office for the Fight Against Trafficking in Persons (OFTIP)	Coordinates efforts against human trafficking among relevant institutions and international organizations, harmonizes legislation, maintains data on human trafficking, and funds hotlines and shelters for victims of human trafficking. (2)
Ombudsman's Deputy for the Rights of the Child	Monitors the situation of children using strategies such as visiting schools and institutions, holding focus groups, maintaining email hotlines, and writing blogs for children. (2,3,32)

During the reporting period, to streamline the victim referral process, the Supreme State Prosecutor and Police Director adopted a decision to form a Counter Human Trafficking Task Force, which will be a team with representatives from the police, prosecution, Ministry of Interior, Ministry of Justice, and NGOs. (5) A special unit within the Police Directorate will also be formed to target human trafficking and illegal migration. (5)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Montenegro took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLSW that may hinder adequate labor law enforcement, including inspection planning.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$579,532 (37)	\$440,235 (4)
Number of Labor Inspectors	33† (2)	40 (3)
Inspectorate Authorized to Assess Penalties	Yes (2)	Yes (3)
Initial Training for New Labor Inspectors	Yes (2)	Yes (3)
Training on New Laws Related to Child Labor	N/A (2)	Yes (3)
Refresher Courses Provided	Yes (2)	Yes (3)
Number of Labor Inspections Conducted	8,280† (2)	10,695 (3)
Number Conducted at Worksite	8,280† (2)	10,695 (3)
Number of Child Labor Violations Found	40† (2)	44 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	15† (2)	25 (3)

Montenegro

MODERATE ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Number of Child Labor Penalties Imposed that Were Collected	15† (2)	25 (3)
Routine Inspections Conducted	Yes (2)	Yes (3)
Routine Inspections Targeted	Yes (2)	Yes (3)
Unannounced Inspections Permitted	Yes (2)	Yes (3)
Unannounced Inspections Conducted	Yes (2)	Yes (3)
Complaint Mechanism Exists	Yes (2)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (3)

† Data are from January 2017 to November 2017.

The labor inspectorate has 15 offices that proactively plan labor inspections, with an increase in inspections during the summer tourist seasons in specific sectors, such as trade and catering. (2,3,9,22,38) Labor inspectors can inspect registered farms and Social Welfare Centers (SWCs) can inspect family farms to detect child labor. (3) If child labor is found by SCWs, they can work with labor inspectors and criminal law enforcement.

Children found during labor inspections can be sent to SWCs and accommodated in a government-financed, NGO-run shelter for human trafficking victims. (2,3,38) There are 29 labor inspectors who cover employment relations and 10 who cover health safety issues at work. (3) All inspectors monitor the enforcement of child labor. (2,3,38) The government maintains a database on children involved in begging but does not collect or publish data on the worst forms of child labor. (4)

During the reporting period, labor inspectors received trainings on forced child labor from the Ministry of Interior's Office for the Fight Against Trafficking in Persons (OFTIP) and the MLSW. (3) In addition, 19 labor inspectors received training from the ILO on the informal economy and protecting youth at work. (3,4) The labor inspectorate deemed funding to be sufficient for 2018. (3)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Montenegro 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 prosecution planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (2)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (2)	Yes (3)
Refresher Courses Provided	Yes (2)	Yes (3)
Number of Investigations	78† (2)	82 (3)
Number of Violations Found	53† (2)	50 (3)
Number of Prosecutions Initiated	2† (2,34)	1 (3)
Number of Convictions	0† (2)	0 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	0 (36)	0 (36)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (3)

† Data are from January 2017 to November 2017.

A new eight-member police unit investigates human trafficking and illegal migration within the Police Directorate. (4) Police investigate children working on the street, and those who are found begging or require social assistance can be accommodated in a public institution, called a *Ljubović*, for up to 30 days while parents are located. (2,3,9,39) When parents are not available, children are referred to local SWCs. (3)

However, continuous victim identification training is needed for the police, judiciary, and prosecutors. (5,14) In addition, gaps remain in prosecutions and the number of convictions related to human trafficking. (40,3,5,34)

During the reporting period, according to the government, resources were sufficient for combating human trafficking. (3,5) OFTIP organized a training on early identification of human trafficking, including the worst forms of child labor. OFTIP and the OSCE also held seminars for 15 police officers on human trafficking for labor exploitation. (3,5) In addition, seminars on public awareness on human trafficking, including the use of children in commercial sexual exploitation, were organized in Bijelo Polje, Tivat, and Podgorica by OFTIP and the State Human Resources Agency for 50 employees of local municipalities. (5,36) In 2018, as part of the Beggar Task Force, 246 people were investigated, out of which 33 were juveniles, and 22 children were sent to SWCs. (3)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
Office of the National Anti-Trafficking Coordinator (Human Trafficking Office)	Coordinates efforts, projects, and legislation against trafficking in persons and the worst forms of child labor among relevant government institutions and international organizations. (2,3) Collects and maintains data on investigations and court rulings. A task force monitors and promotes activities related to combating human trafficking, and assesses the progress of objectives established in action plans. (2,3) Includes government representatives, NGOs, and international organizations. (2) Active in 2018. (4)
Council for the Rights of the Child	Implements and monitors the government's commitments pursuant to the UN CRC, and initiates adoption of legislation to promote and protect the rights of children. Chaired by the MLSW and has 12 other members. (2,3,41-43) Met once in 2018. (3)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that may hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Strategy for Prevention and Protection of Children from Violence (2017–2021)	Strengthens the national framework in preventing violence against children, including improving legislation and the judicial system. (3,44) Includes providing care and services for child victims or those at risk of violence. Aims to eliminate violence against children in the country by 2021. (44) Active in 2018. (4)
National Strategy for Combating Human Trafficking†	Outlines objectives for combating human trafficking by raising public awareness, strengthening the capacity for victim identification and service provision, improving interagency coordination, and raising the efficiency of prosecutions. (23,45) The strategy and yearly action plan are evaluated and adopted through reports prepared with government and civil society collaboration. (23) Prepared a new strategy for 2019–2024 that aims to increase prosecutions and victim identification. (3,46,47)
Strategy for the Social Inclusion of Roma and Egyptians (2016–2020)	Aims to create social inclusion of Roma and Egyptians by increasing school attendance and birth registration, and preventing child begging and human trafficking. Implemented by the Ministry for Minority and Human Rights. (48)
Guidelines for the Treatment of Unaccompanied Minors	Provides accommodation, protection, and rehabilitation for minors and other vulnerable groups. Implemented by the MLSW. (46,49) Active in 2018. (4)
Strategy for the Development of the Social and Child Protection System (2018–2022)	Builds an integrated social and child protection system, including monthly social assistance, health care, and a child allowance that is contingent upon school attendance. (1) Contains an integrated Action Plan for 2018. (4,46,50)
Strategy for Inclusive Education (2019–2025)†	Aims to include inclusive education for all children in the country, including children with disabilities. (51) Will review the work of steering committees to ensure that all educational goals are met, specify the work of mobile teams, and continuously improve the literature in the schools to be inclusive of all. (51)

† Policy was approved during the reporting period.

The government has not included child labor elimination and prevention strategies in the Strategy for Prevention and Protection of Children from Violence. (50)

Research was unable to determine whether activities were undertaken to implement the Strategy for the Social Inclusion of Roma and Egyptians during the reporting period.

Montenegro

MODERATE ADVANCEMENT

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 adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
UNICEF Country Program (2016–2021)	Addresses access to social services for children, synchronizes the legal framework with EU and UN standards, implements and monitors policies relevant to children, and applies the principles of the UN CRC. (4,16,36) Had a campaign in 2018 on media literacy to ensure that all children are prepared for school attendance. (4,36)
Development of Standard Operating Procedures for the Treatment of Children Deprived of Parents or Unaccompanied	Implemented by the Ministry of Interior's Human Trafficking Office and UNICEF. (14) Goals include standardizing procedures among all relevant institutions for dealing with unaccompanied children and children separated from parents, ensuring compliance with both international and national laws for children. (52) Includes procedures on identifying, accommodating, and integrating the children. (52) The standard operating procedures were implemented during the reporting period. (36)
Shelter for Victims of Human Trafficking, Forced Begging, and Forced Marriages†	Run by the NGO Montenegrin Women's Lobby and the government. The shelter provides accommodations for children who are separated from adults and victims of forced begging and forced marriages. (39) The government continued to operate the shelter and provided accommodations to four minors in 2018. (3)
Hotline for Victims of Human Trafficking†	SOS Hotline† funded by the Human Trafficking Office and run by the NGO Montenegrin Women's Lobby. Provides advice, connects victims with service providers, and raises public awareness. (23,35) Received 565 calls during the reporting period. (5)

† Program is funded by the Government of Montenegro.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (5,53,54)

Despite the government funding the Shelter for Victims of Human Trafficking in 2018, funding must be renewed yearly, and NGOs were dissatisfied with the level of funding. (3) In addition, the provision of services to individuals with disabilities who are victims of human trafficking is limited. (5)

Although the Government of Montenegro has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially for street work and forced begging.

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 Montenegro (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Consistently track and publish information about children involved in the worst forms of child labor.	2017 – 2018
	Provide continuous victim identification training to police, the judiciary, and prosecutors.	2017 – 2018
	Increase the number of prosecutions and convictions of perpetrators involved in commercial sexual exploitation.	2017 – 2018
Government Policies	Integrate child labor elimination and prevention strategies into national policies for all children, including in the Strategy for Prevention and Protection of Children from Violence.	2018
	Ensure that the Strategy for the Social Inclusion of Roma and Egyptians is active.	2018
Social Programs	Make additional efforts to register children from the Ashkali, Balkan Egyptian, and Roma communities.	2012 – 2018
	Build the capacity of schools and other services and programs to accommodate and provide services to children with disabilities.	2015 – 2018
	Increase funding for human trafficking shelters, including for individuals with disabilities who are victims of human trafficking.	2018
	Expand existing programs to address the scope of the child labor problem, especially in street work and forced begging.	2018

REFERENCES

- 1 Government of Montenegro. Written Communication. Submitted in Response to USDOL Federal Registrar Notice (September 30, 2016) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Podgorica, December 12, 2016.
- 2 U.S. Embassy- Podgorica. Reporting. January 12, 2018.
- 3 U.S. Embassy- Podgorica. Reporting. January 22, 2019.
- 4 U.S. Embassy- Podgorica official. Email communication to USDOL official. February 15, 2019.
- 5 U.S. Embassy- Podgorica. Reporting. March 4, 2019.
- 6 U.S. Department of State. Trafficking in Persons Report- 2019: Montenegro. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/montenegro/>.
- 7 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 8 UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2013. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 9 U.S. Embassy- Podgorica. Reporting. January 15, 2016.
- 10 UN Human Rights Committee. Concluding observations on the initial report of Montenegro. November 21, 2014: CCPR/C/MNE/CO/1. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/MNE/CO/1&Lang=En.
- 11 UN Committee on the Elimination of Racial Discrimination. Concluding observations on the combined second and third periodic reports of Montenegro. March 13, 2014: CERD/C/MNE/CO/2-3. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD/C/MNE/CO/2-3&Lang=En.
- 12 UN Committee on Economic, and Social and Cultural Rights. Concluding observations on the initial reports of Montenegro. December 15, 2014: E/C.12/MNE/CO/1 http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/MNE/CO/1&Lang=En.
- 13 U.S. Embassy- Podgorica. Reporting. February 10, 2017.
- 14 U.S. Embassy- Podgorica. Reporting. February 12, 2018.
- 15 U.S. Department of State. Trafficking in Persons Report- 2017: Montenegro. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/montenegro/>.
- 16 U.S. Embassy- Podgorica official. Email communication to USDOL official. March 9, 2017.
- 17 UN Committee on the Elimination of Discrimination against Women. Concluding Observations on the second periodic report of Montenegro: CEDW/C/MNE/CO/2. July 24, 2017. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/MNE/CO/2&Lang=En.
- 18 U.S. Department of State. Country Reports on Human Rights Practices- 2017: Montenegro. Washington, DC. April 20, 2018. <https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/montenegro/>.
- 19 U.S. Embassy- Podgorica. Reporting. February 5, 2015.
- 20 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Montenegro (ratification: 2006) Submitted: 2013. Accessed March 21, 2014 http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:3077175:NO.
- 21 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Montenegro. Washington, DC., March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/montenegro/>.
- 22 U.S. Embassy- Podgorica official. Email communication to USDOL official. February 10, 2015.
- 23 U.S. Embassy- Podgorica. Reporting. January 29, 2016.
- 24 UNICEF. It's about ability campaign improves lives of children with disability in Montenegro June 5, 2014. https://www.unicef.org/montenegro/campaigns_26187.html.
- 25 Government of Montenegro. Labor Law, No. 49/08. Enacted: 2008. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/80457/86884/F-68295504/MGO80457 Mgo 2012.pdf>.
- 26 Government of Montenegro. Regulations on Measures of Protection in the Workplace. Enacted: 2015. Source on file.
- 27 Government of Montenegro. Constitution of the Republic of Montenegro. Enacted: October 22, 2007. http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=MGO&p_classification=01.01&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY.
- 28 Government of Montenegro. Criminal Code of Montenegro. Enacted: November 1, 1996. <http://www.mpa.gov.me/en/library/zakoni?alphabet=lat?query=criminal%20code&sortDirection=desc>.
- 29 Government of Montenegro. Law on the Armed Forces of Montenegro. Enacted: December 29, 2009. <http://www.mod.gov.me/ResourceManager/FileDownload.aspx?rid=283610&rType=2&file=Zakon%20o%20Vojsci%20Crne%20Gore.pdf>.
- 30 Government of Montenegro. Declaration of the Law on the Army of Montenegro. Podgorica. July 28, 2017. <http://www.mod.gov.me/ResourceManager/FileDownload.aspx?rid=283610&rType=2&file=Zakon%20o%20Vojsci%20Crne%20Gore.pdf>.
- 31 Government of Montenegro. Law on Primary Education. Enacted: July 30, 2013. <http://www.mpin.gov.me/biblioteka/zakoni>.
- 32 U.S. Embassy- Podgorica. Reporting. January 17, 2014.
- 33 U.S. Embassy- Podgorica official. Email communication to USDOL official. May 9, 2014.
- 34 U.S. Embassy- Podgorica official. Email communication to USDOL official. May 11, 2018.
- 35 U.S. Embassy- Podgorica. Reporting. March 6, 2014.
- 36 U.S. Embassy- Podgorica official. Email communication to USDOL official. June 4, 2019.
- 37 U.S. Embassy- Podgorica official. Email communication to USDOL official. February 20, 2018.
- 38 U.S. Embassy- Podgorica. Reporting. January 13, 2017.
- 39 U.S. Embassy- Podgorica official. Email communication to USDOL official. May 26, 2016.
- 40 U.S. Department of State. Trafficking in Persons Report- 2018: Montenegro. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/montenegro/>.
- 41 U.S. Embassy- Podgorica. Reporting. January 14, 2015.
- 42 U.S. Embassy- Podgorica official. Email communication to USDOL official. February 7, 2017.
- 43 Government of Montenegro. 2013–2017 National Plan of Action for Children. 2013. <http://www.minradiss.gov.me/ResourceManager/FileDownload.aspx?rid=178608&rType=2&file=Nacional%20plan%20of%20action%20for%20children.docx>.
- 44 Government of Montenegro. Strategy for Prevention and Protection of Children from Violence 2017-2021. Podgorica. March 2017. <http://www.mrs.gov.me/ResourceManager/FileDownload.aspx?rid=274449&rType=2&file=Strategija>.

Montenegro

MODERATE ADVANCEMENT

- 45 Government of Montenegro. Strategy for Combating Trafficking in Human Beings. 2012.
<http://www.legislationline.org/documents/id/18669>.
- 46 Council of Europe. Lanzarote Convention Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse. Replies sent by the State from focused questionnaire: Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse. September 26, 2016.
<http://www.coe.int/en/web/children/state-replies-of-urgent-monitoring-round>.
- 47 Government of Montenegro. Strategy for Combatting Trafficking in Human Beings 2019-2024. Podgorica. 2019. Source on file.
- 48 Government of Montenegro. Strategy of Social Inclusion for Roma and Egyptians in Montenegro 2016–2020. Podgorica. March 2016. Source on file.
- 49 Government of Montenegro. Feasibility study for strengthening the capacity for accommodation, protection, and rehabilitation of unaccompanied migrant minors and other vulnerable groups of migrants [Proposal]. Podgorica. July 2015.
<http://www.predsjednik.gov.me/biblioteka/dokument?alphabet=lat&pagerIndex=48>.
- 50 Government of Montenegro. Strategy for Developing Social and Child Protection for 2018 to 2022. Podgorica. September 2017.
http://www.zsdzcg.me/images/Biblioteka/Strategija_razvoja_sistema_socijalne_i_djecje_zastite_za_period_od_2018_do_2022_godine.docx.
- 51 Government of Montenegro. Strategy for Inclusive Education 2019-2025. Podgorica. 2018.
http://www.mps.gov.me/ResourceManager/FileDownload.aspx?rid=325543&rType=2&file=Nacrt_Strategije_inkluzivnog_obrazovanja_2019_-_2025_za_javnu_raspravu.pdf.
- 52 Government of Montenegro. Standard operating procedures for dealing with children who are divided from parents or without family, with special action on proactive identification of potential human trafficking victims. 2017. Source on file.
- 53 Radio Televizija Crne Gore. Books for first grade students. Herceg Novi: Radio Televizija Crne Gore, August 9, 2018.
<http://www.rtcg.me/vijesti/drustvo/211327/knjige-za-ucenike-prva-tri-razreda.html>.
- 54 Radio Televizija Crne Gore. Data for improving the program for children. Radio Televizija Crne Gore, September 26, 2018.
<http://www.rtcg.me/vijesti/drustvo/215847/podaci-za-unapredjenje-programa-za-djecu.html>.

Although research found no evidence that child labor exists in Montserrat, the government made a minimal advancement in efforts to prevent the worst forms of child labor in 2018. During the reporting period, the Labor Office used media programming to inform children and adults of the legal age to work in the country. However, the government has not determined by national law or regulation the types of hazardous work prohibited for children. In addition, the law does not prohibit the involvement of children in illicit activities.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Montserrat. (1-5)

Table 1 provides one key indicator on children's education in Montserrat for which information is available. Data on other key 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		68.9

Source for primary completion rate: Data from 2007 published by UNESCO Institute for Statistics, 2019. (6)
Data were unavailable from International Labor Organization's analysis, 2019. (7)

II. LEGAL FRAMEWORK FOR CHILD LABOR

British Overseas Territories (BOTs) recognize the jurisdiction and sovereignty of the United Kingdom (UK), but they are constitutionally not part of the UK. They are self-governing, except in the areas of foreign affairs and defense. (8) Domestic UK law does not generally apply unless explicitly extended in Montserrat. (2) Under Article 35(4) of the ILO Constitution, when the UK ratifies a Convention, the Territory must consider if it will accept the Convention. If the Convention is accepted, it is considered applicable to that territory. (2,8) No key international conventions concerning child labor have been extended to Montserrat (Table 2).

Table 2. 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 of Montserrat has established laws and regulations related to child labor (Table 3). However, gaps exist in Montserrat's legal frameworks to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

Montserrat

MINIMAL ADVANCEMENT

Table 3. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Part 9 of the Labor Code (9)
Minimum Age for Hazardous Work	Yes	18	Parts 9–10 of the Labor Code (9)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Part 9 of the Labor Code (9)
Prohibition of Forced Labor	Yes		Schedule II, No. 55 of the Constitution Order; Part VIII-A, Sections 138A and 202D of the Penal Code (10,11)
Prohibition of Child Trafficking	Yes		Part VIII-A, Sections 138A–B, and Part XIV-A of the Penal Code (10)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Part VIII-A, Sections 138A–B of the Penal Code (10)
Prohibition of Using Children in Illicit Activities	No		Articles 3 and 96(8) of the Labor Code (9)
Minimum Age for Voluntary State Military Recruitment	N/A		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 3 and 96(8) of the Labor Code (9)
Compulsory Education Age	Yes	16	Chapter II, Part 3 of the Education Act (12)
Free Public Education	Yes		Chapter II, Part 1 of the Education Act (12)

* No conscription (13)

Children under age 18 may not be employed at night or in occupations designated as hazardous. (9) The Minister of Labor for Montserrat is entrusted with the responsibility of deciding what constitutes hazardous work, but Montserrat has not determined by national law or regulation the types of hazardous work prohibited for children. (9) The law does not criminally prohibit the recruitment of children by non-state armed groups. The law does not criminally prohibit the use of children in illicit activities. (13)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor. However, in Montserrat, the UK government has established institutional mechanisms for the enforcement of labor laws (Table 4).

Table 4. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor	Prohibits employment of children, pursuant to the Labor Code of 2012, under the Labor Commissioner. (14,15)
Royal Montserrat Police Service	Enforces laws involving children in violation of the labor law. (14)
Department of Social Services	Employs social workers to work on child protection issues. (14)

During the reporting period, the Labor Office used the media to inform children and adults of the legal age to work in the country. (16)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor in Montserrat (Table 5).

Table 5. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2017 – 2018
	Ensure that the law criminally prohibits the use of children in illicit activities.	2011 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018

REFERENCES

- U.S. Embassy- London. Reporting. January 22, 2016.
- U.S. Embassy- London. Reporting. January 24, 2017.
- U.S. Embassy- London. Reporting. January 15, 2015.
- U.S. Embassy- London. Reporting. January 17, 2018.
- U.S. Embassy- London. Reporting. February 6, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary. Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- London. Email communication to USDOL official. May 8, 2014.
- Government of Montserrat. Labor Code. Enacted: December 27, 2012. <http://www.gov.ms/wp-content/uploads/2012/06/Labour-Code-2012.pdf>.
- Government of Montserrat. Penal Code (Amendment) Act 2010. Enacted: April 15, 2010. <http://agc.gov.ms/wp-content/uploads/2009/03/No.-7-of-2010-Penal-Code-Amendment-Act-20102.pdf>.
- Government of Montserrat. The Montserrat Constitution Order 1989. Enacted: January 8, 1990. <http://www.legislation.gov.uk/ukxi/1989/2401/contents/made>.
- Government of Montserrat. Education Act. Enacted: January 1, 2008. <http://agc.gov.ms/wp-content/uploads/2011/10/Education-Act.pdf>.
- CIA. The World Factbook: Montserrat. Accessed August 6, 2018. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>
- Government of the United Kingdom of Great Britain and Northern Ireland official. Email communication to USDOL official. March 22, 2018.
- U.S. Embassy- London. Email communication to USDOL official. January 25, 2017.
- Government of the United Kingdom of Great Britain and Northern Ireland official. Email communication to USDOL official. January 18, 2019.

In 2018, Morocco made a moderate advancement in efforts to eliminate the worst forms of child labor. The government published information on criminal and labor law enforcement efforts, in addition to investigating and prosecuting criminal cases involving child labor violations. Moreover, it operated child protection centers and continued to fund the Tayssir Conditional Cash Transfer Program, providing direct cash transfers to qualifying families whose children meet school attendance criteria, reaching more than 2 million students in 2018. The government also launched social programs focused on providing vocational training to at-risk youth, and assistance to street children at risk of child labor. In addition, it drafted legislation to enhance enforcement abilities in the artisanal sector, specifically allowing labor inspectors to enter into private workshops employing any number of employees. However, children in Morocco engage in the worst forms of child labor, including forced domestic work. Children also engage in child labor in producing artisanal handicrafts. Although the government made meaningful efforts in all relevant areas during the reporting period, laws related to the minimum age for work and the use of children for illicit activities do not meet international standards. The scope of government programs that target child labor is insufficient to fully address the extent of the problem.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Morocco engage in the worst forms of child labor, including forced domestic work. Children also engage in child labor in agriculture. (1-9) Government statistics from 2017 showed 30,545 children ages 7 to 15 working; however, the government has not yet made the full data set available, including microdata, leaving the nature and causes of children's involvement in specific forms of child labor unknown. (10,11) Table 1 provides key indicators on children's work and education in Morocco.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	4.5 (150,178)
Attending School (%)	6 to 14	82.9
Combining Work and School (%)	10 to 14	0.7
Primary Completion Rate (%)		92.7

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (12)

Source for all other data: International Labor Organization's analysis of statistics from *Enquête sur la Population et la Santé Familiale (DHS), 2003–2004*. (13)

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	Planting and harvesting argan, grain, olives, vegetables, and fruits (1)
	Herding goats, cattle, and sheep and raising them for the production of fertilizer, and cattle for the production of milk and butter (1,2)
	Fishing (3,4,10)
	Forestry, activities unknown (3,4,14)
Industry	Construction, including in carpentry† (4,15)
	Weaving textiles (2,16)
	Producing artisanal crafts (3,4,15)
	Metallurgy, including welding (2,4,15)
Services	Begging (17-19)
	Domestic work (3,5,18,20-22)
	Working as salespersons in stores and as tour guides (15)
	Tailoring textiles (15,16)
	Working as waiters in cafés or restaurants (15)
	Maintenance and repair of motor vehicles (2,16)
Street vending (2,15)	

Morocco

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (4-9,18,23)
	Forced domestic work, sometimes as a result of human trafficking (3-6,9,20)
	Begging as a result of human trafficking (4-6,9)
	Illegal sand extraction (25)

† 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.

Morocco is a source, destination, and transit country for children subjected to forced labor and sex trafficking. (7,8,18,24,26)

According to local union observations, rural Moroccan girls, some as young as age 6, are recruited for domestic work in private urban homes. Girls from Cameroon, Côte d’Ivoire, Democratic Republic of the Congo, Nigeria, and Senegal are brought to Morocco for this same purpose. (6,8,27) Some of these girls are subjected to physical and verbal abuse, excessive working hours without regular periods of rest or days off, and no access to educational opportunities. (6,8,27)

Children face barriers to accessing education, including distance to schools, inadequate transportation, prohibitive costs associated with attending school, and the lack of safety and inclusiveness to accommodate students of diverse backgrounds and abilities. These barriers to education increase vulnerability to child labor, especially in rural areas. (1,3,6,23,28) Children with disabilities face additional barriers to education, such as inadequate facilities and support. (6,19,29) Some migrant children, particularly unaccompanied children from sub-Saharan Africa and rural children, face additional barriers to accessing education, such as lack of knowledge of the language of instruction. Furthermore, because birth certificates are required to attend school past the fifth grade, many unregistered children remain out of school and vulnerable to child labor. (23,30,31)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Morocco 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 Morocco’s legal framework to adequately protect children from the worst forms child labor, including prohibiting the use of children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 143 of the Labor Code (32)
Minimum Age for Hazardous Work	Yes	18	Article 147 of the Labor Code (32)

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

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Child Labor List, Decree No. 2-10-183; Article 181 of the Labor Code (32,33)
Prohibition of Forced Labor	Yes		Article 10 of the Labor Code (32)
Prohibition of Child Trafficking	Yes		Articles 448.1, 448.4–448.5 of the Law on Trafficking in Human Beings (34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 503 of the Penal Code (35)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 4 of Royal Decree of 9 June 1966 (36)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 4 of Law No. 44-18 (37)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (34)
Compulsory Education Age	Yes	15	Article 1 of Law No.04-00 (38)
Free Public Education	Yes		Article 1 of Law No.04-00 (38)

Following the passage of the Law on Setting Up Employment Conditions of Domestic Workers in 2016, the law entered into force on October 2, 2018. However, despite regulations to inform agencies on implementing the law, enforcement issues remain, such as the inability of labor inspectors to inspect closed private residences, where many domestic workers are employed. (23,39) In 2018, the Government of Morocco drafted legislation to enhance enforcement abilities in the artisanal sector, specifically allowing labor inspectors to enter private workshops employing any number of employees. (9,40) In addition, in 2018, the Government of Morocco instated military conscription for the national armed forces with an age of 19. (41)

Currently, the law does not provide explicit protections for self-employed children, those who work in the traditional artisan or handicraft sectors for businesses with fewer than five employees, or those who work on private farms or in residences. Despite assurances from the Government of Morocco that inspectors could inspect in the case of any established labor relationship, often verified through witnesses in the absence of contracts, there is an absence of explicit legal protections that conform to international standards, which require all children to be protected under the law establishing a minimum age for work. (5, 11, 22, 32, 40, 42, 43) In addition, the types of hazardous work prohibited for children do not fully cover sectors in which child labor is known to occur or sectors in which work conditions may harm children's health, safety, and morals. (33) Moroccan law does not define using, procuring, or offering of children for either the production or trafficking of drugs as a separate crime; nor does it provide for increased penalties in such cases. (31, 39)

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 Vocational Integration (MOLVI) 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 Vocational Integration (MOLVI)	Enforces child labor laws and oversees programs on child labor as lead agency through its child labor task force. (3,5,9,23,31) Provides occupational health and safety services, administers social security, and organizes labor inspections and employment services through nationwide satellite offices. (3)
Ministry of the Interior	Enforces prohibitions on trafficking in persons and prostitution and other exploitative crimes involving minors, as established in the Penal Code, through the General Directorate of National Security. (5,9,23)

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
General Prosecutor	Prosecutes criminal offenses against children and processes cases involving women and children within the court system. (9,23,44)
Ministry of Solidarity, Women, Family, and Social Development (MSWFSD)	Ensures continuity of child protection and child labor elimination efforts and expands children's access to education. (45) Implements the Integrated Public Policy on the Protection of Children. (4,5) Supports 142 Child Reception Centers that provide services to child victims of violence. (31)
Ministry of Foreign Affairs and International Cooperation	Coordinates efforts to reduce migrant vulnerability to child labor through its Delegate Ministry in Charge of Moroccans Living Abroad and Migration Affairs. Promotes migrant children's access to public education facilities and other social services and assistance. (3,44,46)
Ministry of National Education, Vocational Training, Higher Education, and Scientific Research	Provides education and job training to children, including former child domestic workers and migrant youth through the Office of Vocational Training and Work Promotion centers. (31,40,44)

In 2018, the Office of the General Prosecutor selected 42 prosecutors nationwide from the courts of appeals as responsible for handling trafficking in persons cases. (9)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Morocco took actions to combat child labor (Table 6). However, gaps exist within the authority of the MOLVI that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (44)	Unknown (23)
Number of Labor Inspectors	304 (44)	297 (23)
Inspectorate Authorized to Assess Penalties	No (44)	No (23)
Initial Training for New Labor Inspectors	Yes (44)	Yes (23)
Training on New Laws Related to Child Labor	Yes (44)	Yes (23)
Refresher Courses Provided	Yes (44)	Yes (23)
Number of Labor Inspections Conducted	350† (44)	25,882 (23)
Number Conducted at Worksite	Unknown (44)	25,882 (23)
Number of Child Labor Violations Found	1,713 (44)	2,824 (23)
Number of Child Labor Violations for Which Penalties Were Imposed	11 (44)	0 (23)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (44)	0 (23)
Routine Inspections Conducted	Yes (44)	Yes (23)
Routine Inspections Targeted	Yes (44)	Yes (23)
Unannounced Inspections Permitted	Yes (44)	Yes (23)
Unannounced Inspections Conducted	Yes (44)	Yes (23)
Complaint Mechanism Exists	Yes (44)	Yes (23)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (44)	Yes (23)

† Data are from January 1, 2017 to September 30, 2017. (47)

The sectors most frequently inspected included trade, agriculture, and metal and woodwork. There are 22 inspectors dedicated to agriculture, as well as 23 engineers and 18 physicians in charge of health and safety labor inspections, and the government also has 54 dedicated child labor points of contact distributed across the country in various governmental departments. (23,31,44,47) During 2018, labor inspectors participated in 18 separate training sessions, and during the first 9 months of the year removed 14 children under the age of 15 from dangerous working conditions. In the first 9 months of 2018, the government conducted 25,822 labor inspections, including 263 focused on child labor. Last year's reported figures referred only to inspections focused on child labor. (23) The government prescribes a quota of 20 labor inspections per inspector each month, conducted in the formal market. (40)

Insufficient resources, including an insufficient number of inspectors, hamper the labor inspectorate's capacity to enforce child labor laws. (5,39,48,49) Although Morocco employs 297 labor inspectors, the number of labor inspectors is likely insufficient for the size of Morocco's workforce, which includes more than 12 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Morocco should employ about 800 inspectors. (48,50,51) The official procedures involved in processing child labor violations require the participation of several agencies for each case, which places considerable administrative burdens on labor inspectors. (2) Government officials, local stakeholders, and the ILO Committee of Experts on the Application of Conventions and Recommendations report that the penalties against companies that employ children in hazardous work, set forth in the Labor Code, are insufficient deterrents. (22,48)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Morocco 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 publication of criminal law enforcement data.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (44)	Yes (23)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (44)	N/A (23)
Refresher Courses Provided	Yes (44)	Yes (23)
Number of Investigations	Unknown (44)	12 (23)
Number of Violations Found	Unknown (44)	1 (23)
Number of Prosecutions Initiated	3 (44)	5 (23)
Number of Convictions	Unknown (44)	Unknown (23)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (44)	Yes (23)

Criminal authorities refer victims to appropriate social services through coordination with the government's 54 dedicated child labor points of contact across other government entities and through civil society actors. (23,39)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
Technical Committee Under the Special Ministerial Commission for Children for the Protection and Improvement of Childhood	Ensures inter-sectoral coordination and monitoring for implementing international conventions on children's issues through a committee of 25 government bodies, chaired by the Head of the Government of Morocco. Establishes strategies and mechanisms to implement national policies and plans for child protection and coordinates the management of efforts at the local and regional levels. (31) In 2018, the committee met twice to coordinate inter-agency policies and programs, and to create an action plan for 2019. (23)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
MSWFSD's Integrated Public Policy on the Protection of Children in Morocco (PPIPEM)	Promotes an interdisciplinary approach to respond to child exploitation and other issues. (3-5,52,53) Stakeholders in PPIPEM confirmed formal meetings for review and discussion of progress related to the policy during the reporting period. (40)

Morocco

MODERATE ADVANCEMENT

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 efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor (MAPI6)*	USDOL-funded project implemented by ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to combat child labor and forced labor. Additional information is available on the USDOL website.
Tayssir Conditional Cash Transfer Program†	MSWFSD program that provides direct cash transfers to qualifying families whose children meet school attendance criteria. Aims to increase school enrollment and reduce dropout rates, particularly in rural areas, with 832,500 recipients in 2015–2016 and 509,475 recipients in 2016–2017. (3,11,46) In 2018, the program provided assistance to 2,087,200 students from low-income families. (23)
Government-Funded Shelters and Centers‡	MSWFSD's <i>Entraide Nationale</i> agency manages three key shelter and support centers – the Child Protection Units, Social Assistance Centers, and Orientation and Accompaniment Centers for People with Disabilities – to provide services to child victims of all types of violence, street children, migrant children and refugees, and those with disabilities. (39,40,44,47,54) Other shelters and service centers include student dormitories and training and integration programs for vulnerable children. (39,40,44,47) In 2018, the government operated 82 Child Protection Units across the country, and conducted a campaign in Marrakech in November to raise awareness in schools on the domestic service law. (40)
After-School Program for a Second Chance (E2C)†	Provides students with afterschool educational assistance as part of non-formal education program. (4,44) In 2018, program officials from the Direction of Non-Formal Education, which manages the program, noted that follow-up efforts in October to reach students who failed to return to school reached more than 30,000 students, facilitating the return to educational institutions of approximately one third of them. (40)
Government-funded Projects*†	MSWFS-funded project <i>Mouwakaba</i> assists 2,700 at-risk youth in 6 cities with vocational training. The Cities without Street Children project provides assistance to homeless children in Casablanca and Méknes. (23)
USAID-Funded Projects to Address Child Labor	USAID projects in Morocco that aim to increase the social and economic inclusion of at-risk youth (ages 10–24) living in the marginalized neighborhoods of Tangier and Tetouan. Includes Favorable Opportunities to Reinforce Self-Advancement for Today's Youth (FORSATY) (2012–2017), a \$12.77 million project implemented by Search for Common Ground. (48)

* Program was launched during the reporting period.

† Program is funded by the Government of Morocco.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2-5,9,44,47,48)

In 2018, the government continued a regularization campaign to provide legal status and documentation to foreign migrants. (9) Although the government has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including for children engaged in forced domestic work. (3,39,44)

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 Morocco (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit children from being used, procured, or offered for the production and trafficking of illicit drugs.	2015 – 2018
	Ensure that all children are protected by law, including children who are self-employed, work for artisan and handicraft businesses with fewer than five employees, or work on private farms or in residences.	2009 – 2018
	Ensure that the types of hazardous work that may harm children's health, safety, and morals are prohibited and comprehensive.	2016 – 2018
	Implement regulations related to the Law on Setting Up Employment Conditions of Domestic Workers.	2017 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on the funding of the labor inspectorate.	2015 – 2018
	Increase the number of labor inspectors responsible for enforcing laws related to child labor to meet the ILO technical advice and ensure sufficient labor inspectorate resources.	2012 – 2018
	Streamline child labor enforcement procedures among government agencies.	2013 – 2018
	Publish information on the convictions pertaining to the criminal law enforcement of child labor.	2012 – 2018
	Increase penalties for employers who use children in hazardous work.	2012 – 2018
	Publish information on the number of convictions and imposed penalties pertaining to the criminal enforcement of child labor laws.	2017-2018
	Authorize the labor inspectorate to assess penalties.	2017 – 2018
Social Programs	Take measures to ensure children's safety in schools; remove barriers to education, especially for children with disabilities, language issues, rural children, and migrant children; and increase birth registration rates.	2013 – 2018
	Expand existing programs to address the full scope of the child labor problem, including in forced domestic work.	2013-2018
	Collect and publish microdata on the extent and nature of child labor to inform policies and programs, including in agriculture, industry, and services.	2016 – 2018

REFERENCES

- ILO-IPEC. Etude sur la collecte de données sur les activités des enfants dans le secteur des petites exploitations agricoles au Maroc. Geneva, April 14, 2015. http://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_26515/lang--fr/index.htm.
- U.S. Consulate- Casablanca. Reporting. January 16, 2014.
- U.S. Consulate- Casablanca. Reporting. January 15, 2015.
- Government of Morocco. Données relatives au questionnaire du département d'Etat Américain sur la traite des êtres humains et le travail des enfants au titre de l'année 2014 et 2015. Submitted in response to U.S. Department of Labor Federal Register Notice (October 27, 2015) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Rabat. February 17, 2016. Source on file.
- U.S. Consulate- Casablanca. Reporting. January 28, 2016.
- UN Committee on the Rights of the Child. Concluding observations on the combined third and fourth periodic reports of Morocco. Geneva, October 14, 2014: CRC/C/MAR/CO/3-4. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/MAR/CO/3-4&Lang=En.
- Idrissi, Hynd Ayoubi. Etude sur la violence sexuelle à l'encontre des enfants au Maroc. Rabat: UNICEF and AMANE, December 2014. <https://www.unicef.org/morocco/rapports/profil-de-la-pauvreté-des-enfants-au-maroc>.
- UN Human Rights Council. Report of the Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo: Visit to Morocco. Geneva, April 1, 2014: A/HRC/26/37/Add.3. http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Documents/A-HRC-26-37-Add3_en.doc.
- U.S. Consulate- Casablanca. Reporting. March 4, 2019.
- Haut Commissariat au Plan du Maroc. Activité, emploi et chômage, troisième trimestre 2017. Division des Enquêtes sur L'Emploi, 2018. <https://www.hcp.ma/file/199279/>.
- U.S. Consulate- Casablanca official. Email communication to USDOL official. June 7, 2018.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary, both sexes (%). Accessed: March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics From National Household or Child Labor Surveys. Original data from Enquête sur la Population et la Santé Familiale, 2003–2004. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- Tazi, Rania. Morocco Has High Level of Child Labor. Morocco World News, June 15, 2016. <https://www.morocroworldnews.com/2016/06/189069/moroccohashighlevelofchildlaborhcp/>.
- Creative Associates International. USDOL Promise Pathways: Combating Exploitative Child Labor in Morocco Baseline Report. Washington, DC. August 6, 2015. Source on file.
- ILO Committee of Experts. Individual Observation Concerning Minimum Age Convention, 1973 (No. 138) Morocco (Ratification: 2000) Published: 2016. Accessed: November 8, 2016. http://www.ilo.org/dyn/normlex/en/?p=NORMLEXPUB:131000:NO:PI3100_COMMENT_ID:3245254.
- Human Rights Watch. Abused and Expelled: Ill-Treatment of Sub-Saharan African Migrants in Morocco. New York, February 10, 2014. <https://www.hrw.org/report/2014/02/10/abused-and-expelled/ill-treatment-sub-saharan-african-migrants-morocco>.
- U.S. Consulate- Casablanca. Reporting. February 21, 2017.
- UN Committee on the Rights of Persons with Disabilities. Concluding observations on the initial report of Morocco. September 25, 2017: CRPD/C/MAR/CO/1. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/MAR/CO/1&Lang=en.
- Human Rights Watch. World Report 2015: Morocco/Western Sahara: Events of 2014. New York, 2015. <https://www.hrw.org/world-report/2015/country-chapters/morocco/western-sahara>.
- Ouest-France. Le travail des enfants perdure au Maroc. November 1, 2017. <https://www.ouest-france.fr/monde/maroc/le-travail-des-enfants-perdure-au-maroc-5349922>.
- ILO. 2019 Report of the Committee of Experts on the Application of Conventions and Recommendations. February 8, 2019. https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/WCMS_669784/lang--en/index.htm.

MODERATE ADVANCEMENT

- 23 U.S. Consulate- Casablanca. Reporting. February 8, 2019.
- 24 Tennent, James. Moroccan's are Sick of Their Country's Pedophile Problem. *Vice*, September 3, 2013.
<http://www.vice.com/read/is-morocco-replacing-southeast-asia-as-a-haven-for-european-paedophiles>.
- 25 Quérouil, Manon and Véronique de Viguier. Trucks and Children Are Sucking the Beaches of Morocco. *Vice*, May 19, 2015.
<https://www.vice.com/read/the-sand-looters-0000647-v22n5>.
- 26 U.S. Department of State. Trafficking in Persons Report- 2017: Morocco. Washington, DC. June 27, 2017.
<https://www.state.gov/reports/2017-trafficking-in-persons-report/morocco/>.
- 27 ILO Committee of Experts. Individual Observation Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Morocco (Ratification: 2001) Published: 2016.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:2700618.
- 28 UN Human Rights Council. Report of the Special Rapporteur on the right to food on her mission to Morocco. Geneva. February 12, 2016: A/HRC/31/51/Add.2.
<http://ohchr.org/EN/HRBodies/HRC/RegularSessions/Session31/Documents/A-HRC-31-51-Add-2.doc>.
- 29 UN Human Rights Council. List of issues in relation to the sixth periodic report of Morocco: Addendum: Replies of Morocco to the list of issues. Prepared by the Government of Morocco, Replies of Morocco to the list of issues, 2016.
http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/MAR/Q/6/Add.1&Lang=en.
- 30 UN Committee on Economic, Social, and Cultural Rights. Concluding observations on the fourth periodic report of Morocco. Geneva, October 22, 2015: E/C.12/MAR/CO/4.
http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/MAR/CO/4&Lang=en.
- 31 U.S. Consulate- Casablanca official. Email communication to USDOL official. June 6, 2017.
- 32 Government of Morocco. Le nouveau code de travail. Enacted: May 6, 2004.
http://adapt.it/adapt-indice-a-z/wp-content/uploads/2015/01/Code_du_travail_2004.pdf.
- 33 Government of Morocco. Décret n° 2-10-183 du 9 hija 1431 (16 novembre 2010) fixant la liste des travaux auxquels il est interdit d'occuper certaines catégories de personnes, No. 2-10-183. Enacted: November 16, 2010.
<https://www.ilo.org/dyn/natlex/docs/SERIAL/86187/97101/F-1362261362/MAR-86187.pdf>.
- 34 Government of Morocco. Loi n° 27-14 relative à la lutte contre la traite des êtres humains, No. 27-14. Enacted: 2016.
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/103357/125489/F1582466313/MAR-103357.pdf>.
- 35 Government of Morocco. Dahir n° I-59-413 du 28 jourada II 1382 (26 novembre 1962) portant approbation du texte du code pénal, No. I-59-413. Version consolidée en date du 15 septembre 2011. Enacted: 1963.
<https://www.ilo.org/dyn/natlex/docs/SERIAL/69975/69182/F1186528577/MAR-69975.pdf>.
- 36 Government of Morocco. Décret royal n° 137-66 du 20 safar 1386 (9 juin 1966) portant loi relatif à l'institution et à l'organisation du service militaire, No. 137-66. Enacted: June 9, 1966.
<http://adala.justice.gov.ma/production/html/Fr/93248.htm>.
- 37 Government of Morocco. Law No. 44-18. Enacted: 2018. Source on file.
- 38 Government of Morocco. Loi n° 04-00, modifiant et complétant le dahir n° I-63-071 du 25 jourada II 1383 (13 novembre 1963) relatif à l'obligation de l'enseignement fondamental. Enacted: 2000. Source on file.
- 39 U.S. Consulate- Casablanca. Reporting. January 17, 2017.
- 40 U.S. Consulate- Casablanca. Reporting. May 20, 2019.
- 41 Government of Morocco. Loi n° 44-18 Enacted: 2018. Source on file.
- 42 ILO Committee of Experts. Individual Direct Request Concerning Minimum Age Convention, 1973 (No. 138) Morocco (Ratification: 2000) Published: 2016. Accessed: November 8, 2016.
http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:PI3100_COMMENT_ID:3245258.
- 43 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Morocco. Washington, DC March 14, 2019.
<https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/morocco/>.
- 44 U.S. Consulate- Casablanca. Reporting. February 12, 2018.
- 45 Embassy of Morocco- Washington, DC. Reporting. March 9, 2014.
- 46 U.S. Consulate- Casablanca. Reporting. February 15, 2015.
- 47 Government of Morocco. Les éléments de réponse au questionnaire émanant de l'Ambassade des Etats-Unis d'Amérique. Submitted in response to U.S. Department of Labor Federal Register Notice (September 6, 2016) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". Rabat, February 24, 2017. Source on file.
- 48 U.S. Consulate- Casablanca. Reporting. January 26, 2016.
- 49 U.S. Consulate- Casablanca. Reporting. December 14, 2014.
- 50 CIA. The World Factbook. Accessed: February 16, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://www.cia.gov/library/publications/the-world-factbook/rankorder/2095rank.html>.
- 51 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 52 U.S. Consulate- Casablanca official. Email communication to USDOL official. February 18, 2015.
- 53 Government of Morocco. Politique Publique Intégrée de Protection de l'Enfance 2015-2025. Rabat, 2016.
http://www.social.gov.ma/sites/default/files/PPPEM_fr_280316_0.pdf.
- 54 Government of Morocco. Flyers Related to Entraide Nationale Services. 2019. Source on file.

In 2018, Mozambique made a moderate advancement in efforts to eliminate the worst forms of child labor. The government amended the Law on the National System of Education, raising the compulsory education age to 15. The government also drafted a revision to the Labor Law establishing 15 as the minimum age for work and eliminating the exception that allows children as young as age 12 to work. Furthermore, the Attorney General's Office significantly increased its training capacity and expanded training for law enforcement officers, including a series of workshops for journalists focusing on victim identification and reporting methods that ensure victim safety and improve the government's ability to prosecute human trafficking cases. However, children in Mozambique engage in the worst forms of child labor, including in forced domestic work. Children also perform dangerous tasks in the production of tobacco. Labor inspectors do not receive sufficient training, and the government lacks both the appropriate resources to enforce child labor laws and a coordination mechanism to address child labor. In addition, existing programs are insufficient to fully address the extent of the problem in Mozambique.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mozambique engage in the worst forms of child labor, including in forced domestic work. (1-5) Children also perform dangerous tasks in the production of tobacco. (6) Table 1 provides key indicators on children's work and education in Mozambique. Data on some of these indicators are not available from sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.5 (1,526,560)
Attending School (%)	5 to 14	69.5
Combining Work and School (%)	7 to 14	22.4
Primary Completion Rate (%)		46.4

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3, 2008. (8)

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 cashews, coconuts, cotton,† sesame, sugarcane,† tea, tobacco,† and tomatoes (1,2,6,9-15)
	Fishing,† including preparing nets† (1,6,11)
	Forestry,† activities unknown (6,11)
	Herding livestock,† including cattle (1,6)
	Hunting, including small and wild animals (1,6,15,16)
Industry	Mining,† including gold and gemstones† (1,3,4,6,14,17-20)
	Construction,† including crushing stone† and making bricks† (1,6)

Mozambique

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Domestic work,† including caring for babies and other children† (1,3,6,9,10,13,19-21)
	Street work, including car washing,† street vending, and garbage scavenging† (1,2,6,11,13,14,20-23)
	Selling alcoholic beverages in markets† (13,22)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,5,6,14,24,25)
	Forced labor in agriculture, domestic work, mining, and vending, each sometimes as a result of human trafficking (1-5)
	Use in illicit activities, including drug trafficking, stealing, and assisting poachers in the illegal poaching industry (1,6,13)

† 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.

Mozambican children, lured from rural areas with promises of work and educational opportunities, are subjected to forced domestic work and commercial sexual exploitation in urban areas in Mozambique and South Africa. (2,3,5) Research indicates that Mozambican children are also trafficked to South Africa for forced labor in agriculture, street vending, and commercial sexual exploitation. (2,5)

Reports indicate cases of children in situations of debt bondage in the artisanal mining sector. Several accidents, including some that resulted in deaths, have been documented by local authorities in this sector. (26,27)

Although primary education is free, families must provide school supplies and uniforms. (28,29) Moreover, barriers to education for children include lack of schools, classroom space, and trained teachers. Many students, particularly in rural areas, face difficulties traveling long distances to get to school. (28,30-32) In addition, physical and sexual abuse is common in schools. Research found that some male teachers demand sex from female students. (1,29)

II. Legal Framework for Child Labor

Mozambique 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 Mozambique’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 26 of the Labor Law; Article 4 of the Regulations on Domestic Work (33,34)
Minimum Age for Hazardous Work	Yes	18	Article 23 of the Labor Law (34)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes	18	Hazardous Work List (35)
Prohibition of Forced Labor	Yes		Articles 5 and 10–11 of the Trafficking in Persons Law; Articles 196 and 198 of the Penal Code (36,37)
Prohibition of Child Trafficking	Yes		Articles 5 and 10–11 of the Trafficking in Persons Law (36)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 5 and 10–11 of the Trafficking in Persons Law; Articles 226–227 of the Penal Code (36,37)
Prohibition of Using Children in Illicit Activities	Yes		Articles 33 and 40 of the Law on Drugs (38)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 23 of the Law on Military Service (39)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the Law on Military Service (39)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 5 and 10 of the Trafficking in Persons Law (36)
Compulsory Education Age	Yes	15‡	Article 6 of the Law on the National System of Education; Article 41 of the Law of Basic Child Protection (40,41)
Free Public Education	Yes		Article 41 of the Law of Basic Child Protection (40)

‡ Age calculated based on available information (40,41)

In November 2018, the government amended the Law on the National System of Education, raising the minimum compulsory education age to 15. The law was signed by the President and became effective in March 2019. (16,41)

The Regulations on Domestic Work allow children ages 12 to 15 to conduct domestic work with the permission of their legal guardian. (33) The Labor Law also states that children ages 12 to 15 may work under certain conditions defined by the Council of Ministers. (34) The minimum age of 12 for light work is not in compliance with international standards. (42) However, in 2018 the government drafted a revision to the Labor Law establishing 15 as the minimum age for work, which would eliminate the current exception that allows children as young as age 12 to work; the draft was submitted to Parliament for consideration. (16,43)

The Labor Law's minimum age protections do not apply to children working outside of formal employment relationships; however, the Ministry of Labor, Employment, and Social Security began developing new regulations to protect children working in the informal sector. (34,42,44,45)

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, Employment, and Social Security that may hinder adequate enforcement of their child labor laws.

Mozambique

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security	Enforces child labor laws and regulations. The labor inspectorate works with the National Police Force to enforce criminal law. (16) Monitors implementation of the National Action Plan to Combat the Worst Forms of Child Labor. (46)
Ministry of Industry and Trade's General Inspectorate of Economic Activities	Enforces child labor laws and regulations. (16)
National Police Force	Enforce all criminal laws, including those related to the worst forms of child labor. The criminal investigation branch has a seven-person unit devoted to combating human trafficking and violence against women and children. The unit investigates cases and refers them to the Attorney General's Office. (16)
Attorney General's Office	Coordinates the government's efforts against human trafficking and receives cases for prosecution from the criminal investigation branch of the National Police Force. (16)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Mozambique took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor, Employment, and Social Security that may hinder adequate labor law enforcement, including training for labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	Unknown	Unknown
Inspectorate Authorized to Assess Penalties	Yes (18)	Yes (16)
Initial Training for New Labor Inspectors	Unknown	Yes (16)
Training on New Laws Related to Child Labor	Yes (47)	Unknown
Refresher Courses Provided	Yes (18)	Unknown
Number of Labor Inspections Conducted	Unknown	Unknown (16)
Number Conducted at Worksite	Unknown	Unknown (16)
Number of Child Labor Violations Found	Unknown	Unknown (16)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (16)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (16)
Routine Inspections Conducted	Yes (18)	Yes (16)
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Yes (18)	Yes (16)
Unannounced Inspections Conducted	Unknown	Yes (16)
Complaint Mechanism Exists	Yes (18)	Yes (16)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (18)	Yes (16)

Reports indicate that the number of labor inspectors is likely insufficient for the size of Mozambique's workforce, which includes approximately 13 million workers. (18,48,49) According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed countries, Mozambique would employ about 325 labor inspectors. (50,51) Insufficient training and limited financial resources may also hamper the labor inspectorate's ability to enforce child labor laws. (45,48) The government does not publicly release information on its labor law enforcement efforts. (16)

The National Action Plan to Combat the Worst Forms of Child Labor requires training for inspectors and law enforcement officials; however, research was unable to verify whether these trainings took place during the reporting period. (16)

Ministry of Labor, Employment, and Social Security officials can refer victims of child labor to either the police or social workers from the Ministry of Gender, Children, and Social Action (MGCAS) for family assessments and potential placement of these children in foster homes. (52)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Mozambique 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 allocating financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (18)	Yes (16)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown
Refresher Courses Provided	Unknown	Unknown
Number of Investigations	Unknown	10 (45)
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	7 (45)
Number of Convictions	Unknown	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (18)	Yes (16)

Although the government did not provide disaggregated data on child trafficking, reports indicate that there were cases of child trafficking which resulted in arrests and the initiation of prosecutions. (16,53,54) In November 2018, in Zambézia Province, 3 traffickers were taken into custody after attempting to sell a 17-year-old boy; the case is being processed through the courts. During a raid by police, 2 children under age 16 were found being trafficked to work in the agricultural sector in the Democratic Republic of the Congo. (54) Due to an increase in human trafficking activity, police strengthened border security and worked with community leaders to raise awareness in the province. (54) In the capital city of Maputo, two suspects were apprehended after attempting to traffic a large number of children to South Africa. (53)

In 2018, the Attorney General's Office significantly increased its training capacity, expanded the training of law enforcement officers, and developed for journalists a series of workshops emphasizing victim identification and proper reporting methods to safeguard the victims and improve the government's ability to prosecute human trafficking cases. (45)

Criminal law enforcement officials work with the MGCAS and the National Reference Group for the Protection of Children and Combating Trafficking in Persons to coordinate referrals of children to social service providers. (18) Furthermore, the MGCAS has a standard operating procedure for handling victims of domestic abuse, including human trafficking victims. This procedure incorporates an intake form used nationwide by law enforcement officials, including border officials, to collect the necessary data from victims and ensure that they receive professional care and referrals to appropriate services. (45)

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 efficacy in accomplishing mandates.

Mozambique

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
National Reference Group for the Protection of Children and Combating Trafficking in Persons	Coordinates efforts to combat all forms of human trafficking. Led by the Attorney General's Office. (55) Provincial-level groups coordinate regional efforts to combat human trafficking. (48) During the reporting year, groups were expanded to all provinces and districts in the country, with improvements in areas of protection, assistance and reintegration of victims. (56) Conducted training for media, magistrates and other professionals combating human trafficking, including examination of current policies and laws with the aim of providing better coverage of the situation in the country. (57)
National Commission on Children's Rights	Oversees and reports on children's rights in Mozambique to the African Charter and other international bodies and performs consultations and deliberations on national action plans and legislation. Led by the Ministry of Gender, Children, and Social Action. (52) Research was unable to determine whether the National Commission on Children's Rights was active during the reporting period.
Ministry of the Interior's Women and Children's Victim Assistance Units	Provides services to children who have been victims of crimes, including human trafficking. Operates countrywide through facilities in more than 215 police stations. (48,58) Research was unable to determine whether Ministry of the Interior's Women and Children's Victim Assistance Units were active during the reporting period.
Ministry of Gender, Children, and Social Action (MGCAS)	Operates three dedicated centers for human trafficking victims, providing support and reintegration services, including to child trafficking victims. In 2018, reintegrated seven child trafficking victims with their families. (45,59) In addition, launched a campaign to remove children from the streets of the city of Maputo and began a study to estimate the number of street children. As of May 2018, removed 65 children from the streets. (60)

Research did not find a coordination mechanism dedicated solely to addressing child labor beyond the scope of human trafficking.

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 lack of implementation of existing policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat the Worst Forms of Child Labor (2017–2022)	Aims to map 70 percent of occurrences of worst forms of child labor by province and activity by 2019, and to withdraw 20,000 children from the worst forms of child labor and enroll them in the Basic Social Subsidy program. (46) Mandates the coordination of several key government agencies, including the Attorney General's Office and MGCAS. A multi-sector group comprising representatives from government, civil society, employers, and unions, including the informal sector, was also created in the plan to address child labor issues. (16) Research was unable to determine whether activities were undertaken to implement the National Action Plan to Combat the Worst Forms of Child Labor during the reporting period.
National Action Plan for Children II (2013–2019)	Establishes four priority areas for government action against child labor: child survival, child development, child participation, and child protection. (61) Research was unable to determine whether activities were undertaken to implement the National Action Plan for Children II during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (62)

Although the National Action Plan on Trafficking in Persons was not approved during the reporting period, the outline of both the action plan and its referral mechanism, which contains provisions that address victim identification, have been in widespread use by law enforcement for more than 2 years. (45)

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 adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Basic Social Subsidy Program†	Government and donor-funded program that provides financial subsidies to orphaned children living in poor and vulnerable households, and child heads of households. Aimed at improving secondary school attendance, and reaching more than 3.3 million direct program participants by 2024. (64,65) Research was unable to determine whether activities were undertaken to implement the Basic Social Subsidy Program during the reporting year.
Programs for Street Children‡	Government and civil society operate 176 shelters that provide education, occupational training activities, and health and psycho-social care for street children. (66,67) Active in 2018. (16)
Victims of Violence Centers‡	Government-funded program implemented by the Ministry of the Interior's Women and Children's Victim Assistance Units that provide temporary shelter, food, limited counseling, and monitoring for victims of crime following reintegration. Includes 22 centers located throughout the country. (48,59) Active in 2018. (16)
Speak Child-116	NGO-funded program that works with the government to run a hotline to receive complaints of child abuse, including those related to child labor and sexual exploitation. (44) In September 2018, participated in a collaborative workshop with SMS Biz, a hotline for adolescents led by a local NGO. The workshop focused on improving victim care and inter-organizational cooperation. (68)
Memorandum of Understanding to Combat Child Labor in Tobacco Growing (2018–2021)*	\$1.2 million, 3-year project, funded by the Eliminating Child Labor in Tobacco Growing Foundation, focusing on education, awareness raising, institutional capacity-building, and revision of the government's legal framework. Incorporates training for law enforcement officials. (69-71)
Internet Watch Foundation Website*	Internet Watch Foundation launched a dedicated website, established by the government, to report suspected cases of online commercial sexual exploitation of children, including their use in the production of pornography. (72-74)
Trafficking in Persons Awareness Campaign*†	The Attorney General's Office launched several campaigns aimed at raising public awareness of human trafficking during the reporting period. Conducted numerous awareness-raising activities at the central and provincial levels aimed at informing the public about the various manifestations of human trafficking, and equipping communities with defensive strategies and prevention methods. (45,75)

* Program was launched during the reporting period.

† Program is funded by the Government of Mozambique.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (76)

Although a draft report on the analysis of national child labor data from the Integrated Household Survey was completed in 2017, the government has not yet published the study's findings. (63)

Research found no evidence that the government has carried out programs to assist children engaged in domestic work. The scope of existing programs is also insufficient to fully address the extent of the child labor problem.

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 Mozambique (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are protected under the law, including children working outside of formal employment relationships.	2015 – 2018
	Approve a revision to the Labor Law establishing 15 as the minimum age for work.	2018
Enforcement	Make law enforcement information publicly available, including labor inspectorate's funding, number and training of labor inspectors, type of labor inspections conducted, child labor violations found, and number of child labor penalties imposed and collected, as well as the training of investigators responsible for enforcing laws related to the worst forms of child labor and the number of violations found and convictions achieved.	2009 – 2018
	Allocate sufficient resources for law enforcement agencies, including by increasing the number of labor inspectors to provide adequate coverage of the workforce.	2009 – 2018
	Provide labor inspectors with sufficient training and financial resources to ensure their capacity to enforce child labor laws.	2009 – 2018

Mozambique

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure the operational functionality of the National Commission on Children's Rights and the Ministry of the Interior's Women and Children's Victim Assistance Units.	2017 – 2018
	Establish coordinating mechanisms to combat all worst forms of child labor.	2010 – 2018
Government Policies	Implement the National Action Plan to Combat the Worst Forms of Child Labor and National Action Plan for Children II, including providing training for inspectors and law enforcement as mandated in the National Action Plan to Combat the Worst Forms of Child Labor.	2018
	Approve the National Action Plan on Trafficking in Persons.	2018
Social Programs	Take measures to ensure that all children have access to education by providing supplies and establishing an adequate number of schools. Take preventative steps to protect children from physical and sexual abuse in schools.	2010 – 2018
	Publish the results of the child labor study and use the findings to inform policies and programs.	2015 – 2018
	Implement the Basic Social Subsidy Program, institute programs to address child labor in domestic work, and expand existing programs to address the scope of the child labor problem.	2010 – 2018

REFERENCES

- Rede CAME official. Interview with USDOL official. August 31, 2015.
- Save the Children Mozambique official. Interview with USDOL official. September 1, 2015.
- Magode, José, et al. Tráfico de Pessoas em Mocambique, em Particular, de Crianças. Instituto Superior de Relações Internacionais, November 2014. http://resourcecentre.savethechildren.se/sites/default/files/documents/manual_trafico-last.pdf.
- Ministry of Education official. Interview with USDOL official. September 2, 2015.
- U.S. Department of State. Trafficking in Persons Report- 2018: Mozambique. Washington, DC, June 27, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/mozambique/>.
- Government of Mozambique. ESTUDO QUALITATIVO SOBRE O FENÓMENO DO TRABALHO INFANTIL E O SEU IMPACTO EM MOÇAMBIQUE (2014-2016). Ministério do Trabalho, Emprego e Segurança Social. July 2016. http://www.mitess.gov.mz/sites/default/files/documents/files/RELATORIO_FINAL_ESTUDO_TRABALHO_INFANTIL_PDF.pdf.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Clusters Survey 3, 2008, Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- ROSC. Dia Mundial de Luta Contra o Trabalho Infantil. June 12, 2015. <http://www.ros.org.mz/index.php/noticias/item/258-dia-mundial-de-luta-contra-o-trabalho-infantil>.
- Correio da Manhã. Moçambique é o País da SADC com Mais Crianças a Trabalhar. @Verdade, May 8, 2014. <http://www.verdade.co.mz/economia/46038-oit-colo-ca-mocambique-como-pior-da-sadc>.
- U.S. Embassy- Maputo. Reporting. January 17, 2014.
- Bernardo, Carlos. Procura-se Combater Trabalho Infantil em Tete. Jornal Notícias, October 23, 2014. <http://www.jornalnoticias.co.mz/index.php/provincia-em-foco/25369-tete-procura-se-combater-trabalho-infantil-em-tete>.
- Liga dos Direitos da Criança official. Interview with USDOL official. September 2, 2015.
- Organização dos Trabalhadores de Moçambique official. Interview with USDOL official. September 4, 2015.
- Government of Mozambique. ESTUDO SOBRE AS LACUNAS (GAPS OU DEFICITS) DE TRABALHO DIGNO NA CADEIA DE VALOR DA PRODUÇÃO E COMERCIALIZAÇÃO DO ALGODÃO EM MOÇAMBIQUE, 2016. Ministério do Trabalho, Emprego e Segurança Social. February 2017. Source on file.
- U.S. Embassy- Maputo. Reporting. January 14, 2019.
- Schipper, I., et al. Gold from Children's Hands. SOMO, November 2015. <https://www.somo.nl/gold-from-childrens-hands/>.
- U.S. Embassy- Maputo. Reporting. January 16, 2018.
- Alberto, Dércio. O recurso à mão-de-obra infantil na mineração artesanal em Mambadine. @Verdade, January 16, 2018. <http://www.verdade.co.mz/vozes/37-hora-da-verdade/64621-selo-o-recurso-a-mao-de-obra-infantil-na-mineracao-artesanal-em-mambadine-por-dercio-alberto>.
- Madime, Berta. Maputo no golden lining for Mozambique's child labourers. CAJ News Africa, August 4, 2017. <http://cajnewsafrica.com/2017/08/04/maputo-no-golden-lining-for-mozambiques-child-labourers/>.
- Maquitela, Anchieta. Trabalho Infantil: O Retrocesso nas Possibilidades de Desenvolvimento da Criança. Moçambique Media Online, March 3, 2015. <http://noticias.mmo.co.mz/2015/03/trabalho-infantil-o-retrocesso-nas-possibilidades-de-desenvolvimento-da-crianca.html>.
- Fernando, Sérgio. Menores são Privados dos Seus Direitos em Mecubúri. @Verdade, October 2, 2014. <http://www.verdade.co.mz/nacional/49387-menores-sao-privados-dos-direitos-em-mecuburi>.
- O País. Desmantelada Suposta Rede de Exploração de Trabalho Infantil no Bairro de Xipamanine. O País, February 24, 2015. <http://opais.sapo.mz/index.php/sociedade/45-sociedade/34537-desmantelada-suposta-rede-de-exploracao-de-trabalho-infantil-no-bairro-de-xipamanine.html>.
- Brock, Joe. Mozambique gas projects raise risk of resource "curse." Reuters. October 26, 2015. http://af.reuters.com/article/topNews/idAFKCN0SK1L320151026?utm_source=October+27,+2015+EN&utm_campaign=10/27/2015&utm_medium=email&pageNumber=4&virtualBrandChannel=0&sp=true.
- Bolacha, Cristóvão. Aumenta a prostituição infantil em Mocuba. @Verdade, August 7, 2014. <http://www.verdade.co.mz/nacional/48059-aumenta-a-prostituicao-infantil-em-mocuba->.
- U.S. Embassy Maputo official. Email communication to USDOL official. March 4, 2019.

- 27 Miguel, Ramos. Crianças trocam escola por garimpo em Moçambique. *Voice of America*. April 9, 2018. <https://www.voportugues.com/a/criancas-minas-mocambique-escola/4338976.html>.
- 28 Mohamed, Hamza. In Mozambique, the Children Too Poor to Learn. *Al Jazeera*, April 9, 2016. <http://www.aljazeera.com/indepth/features/2016/03/mozambique-children-poor-learn-160308104006411.html>.
- 29 U.S. Department of State. Country Reports on Human Rights Practices-2018: Mozambique. Washington, DC. March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/mozambique/>.
- 30 Macanandze, Coutinho. A Educação Básica Está Longe de Ser Abrangente no País. @Verdade, August 21, 2014. <http://www.verdade.co.mz/nacional/48379-a-educacao-basica-esta-longe-de-ser-abrangente-no-pais>.
- 31 Caldeira, Adérito. Fraca conclusão do ensino primário em Moçambique também deve-se a distância entre casa e escola. @Verdade, October 2, 2017. <http://www.verdade.co.mz/tema-de-fundo/35-themadefundo/63573-fraca-conclusao-do-ensino-primario-em-mocambique-tambem-deve-se-a-distancia-entre-casa-e-escola>.
- 32 RFI. Início do ano lectivo em Moçambique. February 2, 2018. <http://pt.rfi.fr/mocambique/20180202-inicio-do-ano-lectivo-em-mocambique>.
- 33 Government of Mozambique. Regulamento do Trabalho Doméstico, Decreto n.º 40/2008. Enacted: November 26, 2008. [http://www.ilo.org/dyn/travail/docs/355/DomesticWorkers regulation. pdf](http://www.ilo.org/dyn/travail/docs/355/DomesticWorkers%20regulation.pdf).
- 34 Government of Mozambique. Lei do Trabalho, n.º 23/2007. Enacted: August 1, 2007. http://www.ilo.org/dyn/travail/docs/696/Lei_do_Trabalho.pdf.
- 35 Government of Mozambique. Decreto n.º 68/2017. Enacted: December 1, 2017. [http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/106420/130543/F-8034023/MOZ106420 Port.pdf](http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/106420/130543/F-8034023/MOZ106420%20Port.pdf).
- 36 Government of Mozambique. Lei n.º 6/2008. Enacted: April 23, 2008. Source on file.
- 37 Government of Mozambique. Lei da Revisão do Código Penal, Lei n.º 35/2014. Enacted: December 31, 2014. Source on file.
- 38 Government of Mozambique. Lei n.º 3/97. Enacted: March 13, 1997. Source on file.
- 39 Government of Mozambique. Lei n.º 32/2009. Enacted: November 18, 2009. Source on file.
- 40 Government of Mozambique. Lei de Bases de Protecção da Criança. Enacted: 2006. Source on file.
- 41 Government of Mozambique. Lei do Sistema Nacional de Educação na República de Moçambique, Lei n.º 18/2018. Enacted: December 28, 2018. Source on file.
- 42 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Mozambique (Ratification: 2003). Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3254790,102964,Mozambique,2015.
- 43 Government of Mozambique. Proposta de PROPOSTA DE REVISÃO DA LEI N.º 23/2007, DE 1 DE AGOSTO, LEI DO TRABALHO. May 11, 2018. Source on file.
- 44 U.S. Embassy- Maputo. Reporting. January 14, 2015.
- 45 U.S. Embassy- Maputo. Reporting. March 8, 2019.
- 46 Government of Mozambique. Plano de Acção Nacional para o Combate às Piores Formas do Trabalho Infantil Em Moçambique (2017-2022). 2017. <http://www.mitess.gov.mz/sites/default/files/documents/files/Plano para o Combate as Piores Formas do Trabalho Infantil Em Moz.pdf>.
- 47 U.S. Embassy Maputo official. Email communication to USDOL official. May 15, 2018.
- 48 U.S. Department of State. Trafficking in Persons Report- 2017: Mozambique, Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/mozambique/>.
- 49 CIA. The World Factbook. Accessed: February 20, 2018. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 50 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 51 ILO. Strategies and Practice for Labour Inspection: Geneva: Committee on Employment and Social Policy. GB.297/ESP/3. November 2006. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <https://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 52 U.S. Embassy Maputo official. Email communication to USDOL official. April 2, 2015.
- 53 A República. Tráfico de menores. March 15, 2018. <http://arepublica.co.mz/2018/03/15/trafico-de-menores-2/>.
- 54 Frey, Adrian. Human trafficking reaches alarming proportions in Zambézia, Mozambique. November 8, 2018. <https://clubofmozambique.com/news/human-trafficking-reaches-alarming-proportions-in-zambezia-mozambique/>.
- 55 U.S. Embassy- Maputo. Reporting. February 1, 2016.
- 56 Filimone, Hélio. Há tráfico de crianças para uniões forçadas. Online notícias. July 30, 2018. <http://jornalnoticias.co.mz/index.php/1-plano/80128-ha-traffic-de-criancas-para-unioes-forçadas>.
- 57 Government of Mozambique. Jornalistas formados em matéria de Tráfico de Pessoas. Attorney General’s Office. December 13, 2018. <http://www.pgr.gov.mz/index.php/11-eventos/128-jornalistas-formados-em-materia-de-traffic-de-pessoas>.
- 58 U.S. Embassy- Maputo. Reporting. March 6, 2014.
- 59 U.S. Embassy- Maputo. Reporting. February 17, 2015.
- 60 Online notícias. Governo retira meninos da rua na cidade do Maputo. June 18, 2018. <http://jornalnoticias.co.mz/index.php/capital/maputo/78654-governo-retira-meninos-da-rua-na-cidade-do-maputo>.
- 61 Government of Mozambique. Plano Nacional de Acção para a Criança 2013-2019 (PNAC II). December 2012. Source on file.
- 62 Government of Mozambique. Proposta do Programa Quinquenal do Governo 2015-2019. February 2015. <http://www.portaldogoverno.gov.mz/por/Governo/Documents/Planos-e-Programas-de-Governacao/Plano-Quinquenal>.
- 63 ILO-IPEC. Global Action Program on Child Labor Issues. October 2016: Technical Progress Report. Source on file.
- 64 Government of Mozambique. National Basic Social Security Strategy. February 2016. http://www.unicef.org.mz/wp-content/uploads/2018/09/ENSSB-II_-Eng.pdf.
- 65 Government of Mozambique. Programa Conjunto das Nações Unidas Sobre a Protecção Social Moçambique. Ministry of Gender, Children, and Social Action. 2018. https://www.unicef.org.mz/wp-content/uploads/2018/03/BROCHURA_PROTECCAOSOCIAL_UNJP.pdf.
- 66 U.S. State Department official. Personal communication to USDOL official. May 14, 2014.

Mozambique

MODERATE ADVANCEMENT

- 67 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Mozambique (Ratification: 2003). Published: 2016.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3254798:NO.
- 68 Linha Fala Criança. Troca de experiência entre os Conselheiros da LFC e SMS_BIZ realizada em Maputo. September 24, 2018.
<http://www.linhafala.org.mz/wp-content/uploads/2018/09/Intercambio-LFC-SMS-BIZ.pdf>.
- 69 ECLT Foundation. Collaboration with Mozambique to fight against child labour. July 16, 2018.
<https://www.eclt.org/en/news-and-insights/collaboration-with-mozambique-to-fight-against-child-labour>.
- 70 Agência Lusa. Governo de Moçambique exige retirada de crianças do cultivo de tabaco. Observador. June 27, 2018.
<https://observador.pt/2018/06/27/governo-de-mocambique-exige-retirada-de-criancas-do-cultivo-de-tabaco/>.
- 71 Agência de Informação de Moçambique (Maputo). Mozambique: Agreement to Fight Child Labor in Tobacco Growing. allAfrica. June 27, 2018.
<https://allafrica.com/stories/201806280081.html>.
- 72 ECPAT International and Rede da Criança. Supplementary report on "Sexual Exploitation of Children in Mozambique" to the third and fourth periodic reports of Mozambique on the implementation of the Convention on the Rights of the Child and the Optional Protocol on the sale of children, child prostitution and child pornography. Bangkok. November 1, 2018.
<http://www.ecpat.org/wp-content/uploads/2018/07/Convention-on-the-Rights-of-the-Child-report-on-Sexual-Exploitation-of-Children-to-the-Committee-on-the-Rights-of-the-Child-Mozambique-English-2018.pdf>.
- 73 INCM: Autoridade Reguladora das Comunicações. Moçambique lança portal contra abuso sexual infantil on-line. February 9, 2018.
<http://www.incm.gov.mz/index.php/sala-de-imprensa/noticias/67-mocambique-lanca-portal-contra-abuso-sexual-infantil-on-line>
- 74 IWF Reporting Portal and INCM. Fazer uma denúncia: Olá e bem-vindo ao portal de denúncias IWF em Moçambique. 2018.
<https://report.iwf.org.uk/mz>.
- 75 Chopo, Hélia. PGR lança campanha contra tráfico de pessoas. O País. July 30, 2018.
<http://opais.sapo.mz/pgr-lanca-campanha-contra-trafico-de-pessoas>.
- 76 ILO-IPEC. South-South Cooperation for the promotion of decent work in cotton-producing countries in Africa and Latin America. Accessed: February 16, 2017.
http://www.ilo.org/ipec/projects/global/WCMS_390006/lang--en/index.htm.

In 2018, Namibia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government passed the Combating of Trafficking in Persons Act and approved the National Referral Mechanism that directs first-line response teams on how to detect and provide services to victims of trafficking. In addition, it also provided substantive training for law enforcement pertaining to child protection, including child labor. However, children in Namibia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in domestic work and street work. Hazardous work prohibitions for children in the services sector are not comprehensive. In addition, social programs do not address child labor in agriculture.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Namibia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in domestic work and street work. (1,2) Table 1 provides key indicators on children’s work and education in Namibia. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		77.5

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (3)
Data were unavailable from International Labor Organization’s analysis, 2019. (4)

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	Tending and herding cattle (1,2,5)
Services	Domestic work (5-8)
	Working in bars (<i>shebeens</i>) (5,9)
	Street work, including selling candies, fruits, handicrafts, and cell phone air time vouchers (1,10,11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,8)
	Forced labor in agriculture and domestic work, each sometimes as a result of human trafficking (1,5,12)

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

Children are trafficked within Namibia for forced labor in agriculture, cattle herding, domestic work, and commercial sexual exploitation. San children are particularly vulnerable to forced labor on farms or in homes. (1,8) Some Angolan children are trafficked into Namibia for forced labor in cattle herding. (1,8) The government has not collected and published data on child labor, including its worst forms, to inform policies and social programs.

MODERATE ADVANCEMENT

II. LEGAL FRAMEWORK FOR CHILD LABOR

Namibia 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 Namibia's legal framework to adequately protect children from the worst forms of child labor, including the lack of a comprehensive hazardous work list that includes children's work in the services sector.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Chapter 2, Article 3(2) of the Labor Act (13)
Minimum Age for Hazardous Work	Yes	18	Article 15(2) of the Constitution; Chapter 2, Article 3(4) of the Labor Act (13,14)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Chapter 2, Articles 3(3)(d) and 4 of the Labor Act; Section 234 of the Child Care and Protection Act (13,15)
Prohibition of Forced Labor	Yes		Article 9 of the Constitution; Chapter 2, Article 4 of the Labor Act; Section 15 of the Prevention of Organized Crime Act; Articles 202 and 234 of the Child Care and Protection Act (13-16)
Prohibition of Child Trafficking	Yes		Section 15 of the Prevention of Organized Crime Act; Sections 202 and 234 of the Child Care and Protection Act; Chapter 2, Article 3(2) of the Combating Trafficking in Persons Act (15-17)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 2 of the Combating of Immoral Practices Amendment Act; Section 234 of the Child Care and Protection Act (15,18)
Prohibition of Using Children in Illicit Activities	Yes		Section 234 of the Child Care and Protection Act (15)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 17 of Defense Act I of 2002 (Government Notice 189 of 2010) (19)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 234(1)(b) of the Child Care and Protection Act (15)
Compulsory Education Age	Yes	16	Section 53 of the Education Act (20)
Free Public Education	Yes		Section 38 of the Education Act (20)

* No conscription (21)

The Namibian Parliament passed the Combating of Trafficking in Persons Act in February 2018, which aligns Namibian law with the Palermo Protocol. The act criminalizes trafficking in persons and related offenses, protects and assists victims, and provides for the coordinated implementation and administration of the act. (8,17)

Although there are hazardous work prohibitions for children, these prohibitions do not specifically include hazardous work in the services sector. The Ministry of Labor, Industrial Relations and Employment Creation

(MLIREC) reported that, in 2013, it drafted additional hazardous work prohibitions, which were subsequently approved by the Tripartite Labor Council and scheduled to be published in the gazette by the end of the current Namibian fiscal year. (22,23) Because 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.

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 authority of the MLIREC 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, Industrial Relations and Employment Creation (MLIREC)	Enforces child labor laws and investigates allegations of violations, including forced labor, and cases involving human trafficking and the commercial sexual exploitation of children. Works with the Ministry of Safety and Security (MSS), the Ministry of Gender Equality and Child Welfare (MGECW), the Namibia Central Intelligence Service, and the Ministry of Education (MOE) on child labor matters. (24) Leads these ministries on joint inspection teams. (24)
Ministry of Safety and Security (MSS)	Enforces criminal laws and jointly conducts site visits with labor inspectors. (24,25) Handles enforcement through the Namibian Police. (24-26)
Ministry of Gender Equality and Child Welfare (MGECW)	Collaborates with the Namibian Police Force's Gender-Based Violence Protection Units (GBVPU) on cases involving human trafficking and commercial sexual exploitation of children. (24) Removes children from child labor situations during inspections, and transfers them to a regional GBVPU to receive assistance from MGECW social workers. (27)
Joint Child Labor Inspection Committee	Coordinates activities to enforce child labor laws. Committee includes MLIREC, MSS, and MGECW. (24) Refers children identified during labor inspections to MGECW social workers or to an MGECW shelter for care. (24)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Namibia took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLIREC that may hinder adequate labor law enforcement, including its lack of inspection planning and execution in all relevant sectors and geographic regions.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$2,384,000 (28)	\$2,550,000 (24)
Number of Labor Inspectors	79 (28)	61 (24)
Inspectorate Authorized to Assess Penalties	No (28)	Yes (24)
Initial Training for New Labor Inspectors	Yes (28)	Yes (24)
Training on New Laws Related to Child Labor	Yes (28)	No (24)
Refresher Courses Provided	Yes (28)	Yes (24)
Number of Labor Inspections Conducted	4,334 (28)	3,900 (24)
Number Conducted at Worksite	4,334 (28)	3,900 (24)
Number of Child Labor Violations Found	0 (28)	0 (24)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (28)	N/A (24)
Number of Child Labor Penalties Imposed that Were Collected	N/A (28)	N/A (24)
Routine Inspections Conducted	Yes (28)	Yes (24)
Routine Inspections Targeted	Yes (28)	Yes (24)
Unannounced Inspections Permitted	Yes (28)	Yes (24)
Unannounced Inspections Conducted	Yes (28)	Yes (24)
Complaint Mechanism Exists	Yes (28)	Yes (24)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (28)	Yes (24)

Namibia

MODERATE ADVANCEMENT

Research indicates that the MLIREC primarily conducts inspections in the formal agricultural sector and urban areas, leaving children working in remote rural areas less protected.(5) It was previously reported that although inspectors have the legal authority to inspect private farms, they often encounter difficulties accessing the farms due to locked gates. In an effort to access farms with locked gates, the inspectorate began working with the Namibia Agricultural Union. (24,29)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Namibia took actions to combat child labor (Table 7). However, gaps exist within the operations of the Ministry of Safety and Security and the Namibian Police Force that may hinder adequate criminal law enforcement, including investigation and prosecution planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (28)	Yes (24)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (28)	Yes (24)
Refresher Courses Provided	Yes (28)	Yes (24)
Number of Investigations	Unknown (28)	3 (24)
Number of Violations Found	Unknown (28)	2 (24)
Number of Prosecutions Initiated	Unknown (28)	0 (24)
Number of Convictions	Unknown (28)	0 (24)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (28)	Unknown (24)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (28)	Yes (24)

The Namibian Police Force operates a toll-free hotline for reporting crimes, including child trafficking. An NGO operates another hotline for victims of gender-based violence and child exploitation to access information about available resources and get referrals to relevant government social services providers. (30) Research could not find information about the number of complaints concerning child labor, including its worst forms, received through the Namibian Police Force's toll-free hotline. In September 2018, the Namibian Cabinet approved the National Referral Mechanism to direct first-line response teams on how to detect and provide services to victims of trafficking. (8)

During the reporting period, criminal investigators received a series of trainings addressing child labor, including the Gender-Based Violence/Violence Against Children/Violence Against Women training program for law enforcement agencies. (24) Four training sessions were conducted across the country over a nine-month period. A total of 230 professionals were trained, including 78 police investigators. Police, prosecutors, and social workers were trained on essential services provision and integration, as well as their responses to gender-based violence incidents. (24) The United Kingdom's National Crime Agency carried out a Child Exploitation and Online Protection training for police officers and social workers from the Ministry of Gender Equality and Child Welfare (MGE CW) and the Ministry of Health and Social Services, which focused on relevant provisions of the legal framework, the importance of case identification, risk factors, analysis, safety plan development, and the provision of victim-centered services. (24) In addition, instructors from all police training facilities were trained on recently developed manuals related to gender-based violence, violence against children, and trafficking in persons. (8,24)

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 efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Inter-Ministerial Committee on Child Labor	Coordinates government policies and efforts to combat child labor. Comprises officials from MLIREC, MOE, MGECW, MSS, and the Office of the Ombudsman. (24) Met quarterly in 2018, producing forms and procedures that would better distinguish child labor issues from other issues, such as adult labor or other forms of child mistreatment. (31)
Gender-Based Violence Protection Units (GBVPU)	Provides victim protection services to children rescued from the worst forms of child labor. Fifteen units arrange lodging and medical and psychosocial care for victims. (24) Consists of personnel from MLIREC, the Ministry of Home Affairs and Immigration, the Namibian Police Force, MGECW, and MOE. (23) Research was unable to determine whether services were provided to victims of child labor during the reporting period.
Child Care and Protection Forums	Addresses child protection issues and coordinates services in the country at the regional and constituency levels. Raises community awareness of the signs of child mistreatment and available services. (32) Participants include 14 regional councils, MGECW social workers, police, teachers, government agencies, NGOs, community leaders, churches, and other local-level stakeholders. Met several times during the year. (31)
Permanent Task Force for Children	Implements and coordinates services for children at the national level. (24) Includes key ministries, NGOs, development partners, and bilateral agencies. Met on a quarterly basis in 2018. (24)

The Child Care and Protection Forums were sponsored by the Global Fund until the end of 2018. The MGECW is working to identify zero-cost solutions for the program's continuation. (31) Their goal is to raise community awareness of the signs of child mistreatment and available services, and they are typically well-received by communities. The forums include social workers, police, teachers, magistrates, NGOs, and anyone involved in managing the mistreatment of children. (31)

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 the continuing lack of a child labor policy.

Table 9. Key Policies Related to Child Labor

Policy	Description
Decent Work Country Program (2018–2022)†	Outlines strategies to promote decent work in Namibia. Prioritizes employment promotion, enhances social protections, and strengthens social dialogue and collaboration. (8,33) Program goals include the reduction of forced labor and child labor cases. (33) The program was renewed in August 2018 with a memorandum of understanding (MOU) among employers, ILO, the Government of Namibia, and employees (through two unions—the National Union of Namibian Workers and the Trade Union Congress of Namibia). (8,23) The MOU includes specific actions targeting child labor, including a child labor survey. The current 2018 report is a draft, though implementation is in process. (23-25)
National Development Plan V (2017/2018–2021/2022)	Includes goals for addressing child trafficking and protection concerns. (24,34) Research was unable to determine whether the government undertook activities to implement National Development Plan V during the reporting period.

† 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. (35)

Namibia currently has no child labor policy. However, the MGECW worked to finalize a National Agenda for Children, which is a draft, UNICEF-supported document. The draft agenda includes procedural instructions for each ministry and stakeholder that cover specific types of cases of child mistreatment. (31) In addition, the draft agenda includes a monitoring and evaluation plan, which is overseen by the MGECU with required periodic reports. (31) The government also reviewed and finalized a new Plan of Action on Gender-Based Violence covering the period 2019–2023. (8,36) Child labor elimination and prevention strategies are not integrated into the National Protection Referral Network or the Education for All National Plan of Action. (36,37)

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 child labor problem.

Namibia

MODERATE ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor

Program	Description
Combating Human Trafficking Initiative (2016–2019)	USDOS-funded, 3-year project implemented by IOM, in collaboration with the Government of Namibia, to combat trafficking in persons. (8,38,39) Under this initiative, the Namibian Parliament passed the Combating of Trafficking in Persons Act. (24)
Namibian School Feeding Program†	Government program that provides mid-morning meals to school children. Serves 330,000 pre-primary and primary school students in 1,400 schools in all 14 regions. (23,24,29) Program was active in 2018. (24)
National Youth Service†	Government program that offers training in civic education, national voluntary service, and job skills to unemployed youth, some of whom have never attended school. According to the national budget estimates for fiscal years 2018 and 2019, allocated \$6 million for 2017–2018, which is a 34 percent decrease from the \$9 million for the previous year. (32) According to NGOs, includes skill-building programs for youth. (32) Program is ongoing and received government support in 2018. (24)
Shelters and Victim Services†	Government and NGO shelters provide safe accommodation, meals, clothing, toiletries, psychosocial support, legal assistance, medical services, and access to education. (8) Registered residential child care facilities provide services for children experiencing mistreatment and neglect. The government provides subsidies, either per child or as a percentage of operating expenses, for private shelter facilities. (1,31) Facilities received government support in 2018 and are continually operating. (31)

† Program is funded by the Government of Namibia.

Although the Government of Namibia provided assistance to vulnerable children and services to some victims of child labor, research found no evidence of programs specifically addressing children working in agriculture or domestic work.

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 Namibia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the hazardous occupations and activities prohibited for children are comprehensive.	2014 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Ensure that inspections occur in all sectors to provide minimum age law protections to all children, including those in remote rural areas.	2016 – 2018
	Ensure that training is provided to labor inspectors on new laws related to child labor.	2018
	Publish information on the number of penalties imposed for violations related to the worst forms of child labor.	2018
	Publish information on the number of complaints concerning child labor received through the Namibian Police Force's toll-free hotline.	2018
Coordination	Ensure all coordinating bodies are able to carrying out their intended mandates.	2018
Government Policies	Establish a National Child Labor Policy.	2017 – 2018
	Integrate child labor elimination and prevention strategies into relevant policies.	2013 – 2018
	Publish information about implementation of the Decent Country Work Program and National Development Plan V.	2016 – 2018
Social Programs	Conduct research on the prevalence of child labor to inform the development of policies and social programs.	2013 – 2018
	Institute programs to address child labor in agriculture and domestic work.	2009 – 2018

REFERENCES

- 1 U.S. Department of State. Trafficking in Persons Report- 2018: Namibia Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/namibia/>
- 2 U.S. Embassy- Windhoek. Reporting. February 14, 2014.
- 3 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 4 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Activity Survey (SIMPOC), 2013. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 5 U.S. Department of Labor official. Interview with Namibian Employers’ Federation. December 8, 2016. Source on file.
- 6 Kangootui, Nomhle. Police rescue San girls. *The Namibian*. April 15, 2016. <http://www.namibian.com.na/154457/archive-read/Police-rescue-San-girls>.
- 7 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Namibia (ratification: 2000). Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13201::NO:13201:PI3201_COUNTRY_ID:103008.
- 8 U.S. Embassy- Windhoek. Reporting. February 15, 2019.
- 9 U.S. Embassy- Windhoek. Reporting. February 18, 2014.
- 10 Jason, Loide. Human trafficking a global trend. *New Era*, June 14, 2017. <https://www.newera.com.na/2017/06/14/human-trafficking-a-global-trend/>.
- 11 U.S. Embassy- Windhoek official. Email communication to USDOL official. April 14, 2015.
- 12 Nashuuta, Lahja. Namibia finally moves to pass the anti-human trafficking law. *The Southern Times*, November 17, 2017. Source on file.
- 13 Government of the Republic of Namibia. Promulgation of Labour Act, 2007 (Act No. 11 of 2007). Enacted: December 31, 2007. Source on file.
- 14 Government of the Republic of Namibia. The Constitution of the Republic of Namibia. Enacted: February 1990. <http://www.orusovo.com/namcon>.
- 15 Government of the Republic of Namibia. Promulgation of Child Care and Protection Act, 2015 (Act No. 3 of 2015). Enacted: May 29, 2015. <http://www.lac.org.na/laws/2015/5744.pdf>.
- 16 Government of the Republic of Namibia. Prevention of Organised Crime Act. Enacted: May 2009. Source on file.
- 17 Government of the Republic of Namibia. Combatting of Trafficking in Persons Act of 2018. https://laws.parliament.na/cms_documents/combating-of-trafficking-in-persons--63572e8e99.pdf.
- 18 Government of the Republic of Namibia. Combating of Immoral Practices Amendment Act. Enacted: May 2000. Source on file.
- 19 Government of the Republic of Namibia. General regulations relating to Namibian Defence Force- No. 189. August 20, 2010. [http://www.lac.org.na/laws/annoREG/Defence Act 1 of 2002 - Regulations 2010-189 \(annotated\).docx](http://www.lac.org.na/laws/annoREG/Defence Act 1 of 2002 - Regulations 2010-189 (annotated).docx).
- 20 Government of the Republic of Namibia. Promulgation of Education Act, 2001 (Act No. 16 of 2001). Enacted: December 27, 2001. <http://www.lac.org.na/laws/2001/2673.pdf>.
- 21 Child Soldiers International. Appendix II: Data Summary on Recruitment Ages of National Armies. *Louder than words: An agenda for action to end state use of child soldiers*. London, 2012. <https://www.child-soldiers.org/shop/louder-than-words-1>.
- 22 U.S. Embassy- Windhoek. Reporting. February 5, 2016.
- 23 U.S. Embassy- Windhoek official. Email communication to USDOL official. January 8, 2019.
- 24 U.S. Embassy- Windhoek. Reporting. January 16, 2019.
- 25 U.S. Embassy- Windhoek official. Email communication to USDOL official. January 22, 2019.
- 26 Government of the Republic of Namibia. Ministry of Safety and Security Department listing. 2018. <http://www.mss.gov.na/vacancies>.
- 27 U.S. Department of State. Country Report on Human Rights Practices- 2018: Namibia. Washington, DC, March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/namibia/>.
- 28 U.S. Embassy- Windhoek. Reporting. January 29, 2018. Source on file.
- 29 UN International Covenant on Civil and Political Rights. Concluding observations on the second report of Namibia. April 22, 2016. Source on file.
- 30 U.S. Embassy- Windhoek. Reporting. January 27, 2017.
- 31 U.S. Embassy- Windhoek official. Email communication to DOL official. January 30, 2019.
- 32 U.S. Embassy- Windhoek. Email communication to USDOL official. May 16, 2018.
- 33 ILO. Namibia Decent Country Work Programme (DWCP) 2010-2014. April 2010. <http://www.ilo.org/public/english/bureau/program/dwcp/download/namibia.pdf>.
- 34 Government of the Republic of Namibia. Namibia’s Fifth National Development Plan 2017/18 to 2021/22. 2017. <http://www.gov.na/documents/10181/14226/NDP+5/5a0620ab-4f8f-4606-a449-ea0c810898cc?version=1.0>.
- 35 U.S. Embassy- Windhoek. Reporting. January 27, 2017.
- 36 Government of the Republic of Namibia. A Prioritised National Plan of Action on Gender Based Violence 2019-2023. Accessed July 10, 2019. Source on file.
- 37 ILO-IPEC. Global Action Program on Child Labor Issues. 2016: Technical Progress Report. Source on file.
- 38 IOM. IOM, Namibia Launch Initiative to Combat Human Trafficking. April 12, 2016. <https://www.iom.int/news/iom-namibia-launch-initiative-combat-human-trafficking>.
- 39 USDOS. TIP Office Project Descriptions December 6, 2018 <https://www.state.gov/j/tip/rls/other/2018/279214.htm>.

In 2018, Nepal made a moderate advancement in efforts to eliminate the worst forms of child labor. The government launched the Nepal Labor Force Survey, which will be able to provide valuable information on child labor, including the number of children engaged in hazardous work. It also drafted revisions to the Child Labor Act of 2002, with the aim of raising the minimum age to 18 for entry into hazardous work and ensuring that the list of hazardous work for children is comprehensive. In addition, the government created a new National Child Labor

Elimination Committee to coordinate efforts to address child labor and passed the new National Master Plan to End Child Labor, which prioritizes ending the worst forms of child labor by 2022, and all forms of child labor by 2025. Moreover, the government launched a Decent Work Country Program and the Social Security Fund Program to support workers and their families and combat child labor. However, children in Nepal engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in the production of bricks. The Department of Labor's budget, the number of labor inspectors, and available resources and training are all insufficient for enforcing labor laws, including those related to child labor. Furthermore, children age 17 are excluded from the protections of the country's hazardous work list, leaving them vulnerable to the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nepal engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in the production of bricks. (1-3) Table 1 provides key indicators on children's work and education in Nepal.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	37.2 (6,755,852)
Attending School (%)	5 to 14	91.7
Combining Work and School (%)	7 to 14	39.1
Primary Completion Rate (%)		112.8

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014. (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	Farming, including harvesting caterpillar fungus (<i>yarsagumba</i>) (6-8)
	Herding and feeding livestock (6,9,10)
Industry	Producing bricks (1,6,10-18)
	Quarrying, collecting, and breaking stones, and quarrying and collecting sand (6-8,18)
	Construction,† activities unknown (8,10,19,20)
	Weaving carpet† (6,10,18,21-23)
	Producing embellished textiles (<i>zari</i>)† and embroidery (6,7,10,18,20)
	Producing metal crafts (3,7,8,10,18)
Services	Domestic work (6,10,18,24-27)
	Mechanical workshops for cars and motorbikes (18)
	Working in transportation,† portering, and collecting recyclable waste (6,8,10,18,19)
	Working in hotels,† restaurants,† tea shops, and in entertainment,† including as dancers† (6,8,18,19,28)

Nepal

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking (2,6,18,28)
	Forced labor in embellishing textiles (<i>zari</i>), weaving carpets, and domestic work (2,3,18,20,22,26,28)
	Forced labor in agriculture, producing bricks, quarrying, and breaking stones (2,3,7,14,18,28,29)
	Use in illicit activities, including the cultivation and trafficking of drugs (3,8)
	Forced begging (28)

[†] 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.

Children are trafficked for commercial sexual exploitation both within and outside Nepal, including to India, the Middle East, Asia, and Sub-Saharan Africa. (2,6,20,28,30-32) Many children in Nepal are engaged in the production of bricks, which exposes them to hazardous working conditions, including carrying heavy loads, using dangerous machinery, and working in extreme heat. (1,33) During the reporting period, news outlets announced that an agreement had been met between the government and the Federation of Nepal Brick Industries to end the use of child labor in the brick industry, creating a committee to oversee this process and inspect brick factories to ensure that no children are employed. (34,35)

In addition, traffickers promise families work and education opportunities for the children, but instead bring them to often under-resourced and unregistered orphanages in urban centers, where they exploit them commercially to attract charitable donations from foreigners. There are reports that some orphanages keep children in destitute and unsanitary conditions and force them to beg on the streets. (28)

Due to a lack of reliable data and information at the national level, it is difficult to accurately report on the status of children engaged in hazardous work. During the reporting period, NGOs continued to report that children were working in brick kilns carrying loads, preparing bricks, and performing other tasks for extended periods of time; however, the number of children working in this sector continues to gradually decrease. (18) Carpet factories are considered to be in the formal sector, but many of the subcontractors working in the informal sector use child labor further down the supply chain. (18)

As the government has increased the number of raids in the entertainment sector, the number of children working in this sector is decreasing; and with an increased awareness regarding child labor, NGOs are seeing a decrease in child labor across all sectors. During the reporting period, the ILO, in coordination with the Central Bureau of Statistics (CBS), launched the Nepal Labor Force Survey, which will be able to provide valuable information on child labor, including data on the number of children engaged in hazardous work. (18) In addition, the CBS included a forced labor module that, for the first time, surveyed adults and children age 5 and older. Funded by the Bridge Project and implemented by the ILO and CBS, this module will provide a clearer picture of the forced labor situation within Nepal. (18)

Some children, particularly girls, face barriers to accessing education due to lack of sanitation facilities, geographic distance, costs associated with schooling, household chores, and lack of parental support. (3,36) In Nepal, 32.4 percent of schools lack separate toilet facilities for girls, which can deter them from attending school, especially when they are menstruating. (18) Barriers for attending school for school-age boys include pressure to find employment, migration to work outside of Nepal, and issues with drugs and alcohol. Children with disabilities face additional barriers to accessing education, including denial of school admission. (3,18,37)

The government allows Bhutanese refugee students in grades 9–12 to attend local public schools at no cost, but enrollment remains restricted for younger children. UNHCR provides parallel free education at lower grades to refugees in the two remaining refugee camps in the country. (18) During the reporting period, the government allowed NGOs to provide primary- and secondary-level schooling to Tibetans living in the country. Tibetan refugees had no entitlement to higher education in public or private institutions. (18) More than 700 refugees and asylum seekers from Pakistan, Burma, Afghanistan, Sri Lanka, Bangladesh, Somalia, Iran, Iraq, and

the Democratic Republic of the Congo are not recognized as having the status of refugees, but the government allows UNHCR to provide some education, health, and livelihood services to these refugees. These refugees lack legal access to public education and the right to work. (18)

From July 2017 to July 2018, more than 40 school blocks were retrofitted, and the Central Level Project Implementation Unit is currently committed to reconstructing 6,456 of the 7,509 schools that were affected by the 2015 earthquakes. Of these 6,456 schools, 4,089 have been fully reconstructed, 1,990 are under construction, and 377 have been selected for reconstruction. (22)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Nepal has ratified most 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 Nepal's legal framework to adequately protect children from the worst forms of child labor, including the lack of a minimum age for hazardous work that is consistent with international standards.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Section 3 of the Child Labor (Prohibition and Regulation) Act (1,38)
Minimum Age for Hazardous Work	No	17	Section 3 of the Child Labor (Prohibition and Regulation) Act (2,38)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Schedule 1 of the Child Labor (Prohibition and Regulation) Act (38)
Prohibition of Forced Labor	Yes		Section 4 of the Bonded Labor (Prohibition) Act; Section 4 of the Child Labor (Prohibition and Regulation) Act; Sections 2–4 and 15 of the Human Trafficking and Transportation Control Act; Section 4 of the Labor Act (1,2,38-41)
Prohibition of Child Trafficking	No		Sections 3–4 and 15 of the Human Trafficking and Transportation Control Act (1,2,41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 66(3)(d) of the amended Children's Act (2018); Sections 3–4 and 15 of the Human Trafficking and Transportation Control Act; Sections 16(2) and 16(3) of the Children's Act (1-3,41-43)
Prohibition of Using Children in Illicit Activities	No		Sections 13 and 16 of the Children's Act (4,42)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 7 of the Military Service Regulation 2069(44)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		

Nepal

MODERATE ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 39 of the Constitution (6,45)
Compulsory Education Age	No	13‡	Article 31 of the Constitution (2,45)
Free Public Education	Yes		Section 16D of the Education Act (45,46)

* No conscription (45,47)

‡ Age calculated based on available information (48)

The government is amending the Child Labor (Prohibition and Regulation) Act, 2056 (2000) to better accord with the 2015 constitution, as provincial governments have been given more authority over issues such as child labor. During the reporting period, the Parliament passed the Free and Compulsory Education Act, 2018, which aims to ensure compulsory and free education. (18,43,49) In addition, the Ethnic Discrimination and Untouchability (Crime and Punishment) Act (amendment) 2018 was passed during the reporting period, which will help create a conducive atmosphere for the children of marginalized communities to attend school, thereby reducing forced child labor. (18,50)

The new Labor Act enacted in 2017 covers workers in both the formal and informal sectors, and explicitly prohibits forced and child labor. (18,40) In September 2018, the Children's Act 1990 was amended, changing the definition of a child as below age 18. (18,51)

The minimum age for hazardous work is not consistent with international standards because it does not prohibit children age 17 from engaging in hazardous work. (38,52) The types of hazardous work prohibited for children also do not include brickmaking, a sector in which there is evidence that work involves carrying heavy loads and being exposed to hazardous substances. (11,38) The government is still reviewing and revising the current Child Labor Act of 2002, with the aim of raising the minimum age for entry into hazardous work to age 18, while also ensuring that the types of hazardous work prohibited for children are comprehensive. (18)

Laws related to child trafficking are insufficient because they do not clearly criminalize recruitment, harboring, receipt, or transportation in the absence of force, fraud, or coercion. (41) However, the amended Children's Act prohibits the use of children in pornography. (43) The legal framework also does not explicitly prohibit the use of a child in the production of pornography. (42) In addition, the legal framework prohibiting the use of children in illicit activities is insufficient, because it does not prohibit the use of children in the production of drugs or extend to children who are age 17. (42)

Although the Constitution prohibits the recruitment of children by non-state armed groups, there is no specific legislation penalizing this practice. (45,47,53) In addition, children in Nepal are required to attend school only up to age 13. This standard makes children age 13 vulnerable to child labor because they are not required to attend school but are not legally permitted to work. (45,48,54)

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, the exceptionally low number of worksite inspections conducted at the national level in Nepal may have impeded the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor, Ministry of Labor, Employment, and Social Security (MoLESS)	Enforces labor laws, including those involving child labor. Investigates and holds hearings in 10 District Labor Offices. (55) In March 2018, the Ministry of Labor and Employment was renamed the Ministry of Labor, Employment, and Social Security. (28,56)

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Nepal Police, Women and Children Service Directorate	Investigates crimes involving women and children, including human trafficking. Conducts work through the Nepal Police Women and Children Service Centers in all 77 districts. (57,58) The Nepal Police handles complaints received about child labor in districts without a District Labor Office. (55)
Ministry of Land Reform and Management	Enforces laws that prohibit bonded labor in agriculture. (3)
Monitoring Action Committees, Ministry of Women, Children, and Senior Citizens (MWCS)	Investigate reports of commercial sexual exploitation at the district level, including the exploitation of children in the adult entertainment sector. (28,61)

The new Labor Act authorizes the creation of labor offices to carry out regular inspections to find out whether children are employed, rescue children who are illegally employed, and take action against employers responsible for illegally employing children. When requested by the labor offices, the local administration, police, or any other concerned body must provide assistance to carry out these duties. (18)

Despite these new efforts to combat child labor, NGOs have noted that during the reporting period, the government often failed to adequately implement legal provisions against child labor, which led to the failure of the government to take meaningful action against perpetrators. (18,43) This is perpetuated by high turnover rates in government staff, leading to gaps in personnel capacity. (43)

Labor Law Enforcement

In 2018, the exceptionally low number of worksite inspections conducted at the national level in Nepal may have impeded the enforcement of child labor laws (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$4,000 [†] (3)	\$4,000 [‡] (43)
Number of Labor Inspectors	14 [†] (3)	10 [‡] (43)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (18)
Initial Training for New Labor Inspectors	Unknown (3)	N/A (18)
Training on New Laws Related to Child Labor	Unknown (3)	Unknown (18)
Refresher Courses Provided	Unknown (3)	Yes (43)
Number of Labor Inspections Conducted	1,857 [†] (3)	1,050 [‡] (18)
Number Conducted at Worksite	Unknown (3)	Unknown (18)
Number of Child Labor Violations Found	27 (3)	75 (18)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (3)	Unknown (18)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (3)	Unknown (18)
Routine Inspections Conducted	Yes (3)	Yes (18)
Routine Inspections Targeted	No (47)	Yes (43)
Unannounced Inspections Permitted	Yes (3)	Yes (18)
Unannounced Inspections Conducted	Yes (3)	Yes (18)
Complaint Mechanism Exists	Yes (3)	Yes (18)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (18)

[†] Data are from July, 2016 to July, 2017.

[‡] Data are from July, 2017 to July, 2018.

The Department of Labor's (DOL) 2017–2018 fiscal year (July 16, 2017–July 15, 2018) budget for inspections focused specifically on child labor was NRs 100,000 (approximately \$1,000), which was lower than the previous year's budget. The budget for labor inspections was NRs 400,000 (approximately \$4,000), representing a slight decrease from the previous fiscal year. (43) During the reporting period, government child labor inspections led to the rescue of 75 children, and 59 of those children were rehabilitated. Under the new Constitutional provision and updated federal structure, the provincial governments have been given more authority, including the task of overseeing child labor monitoring and inspection. (18,43)

Nepal

MODERATE ADVANCEMENT

The government and NGOs agreed that the fines and employer-paid compensation outlined in the Child Labor (Prohibition and Regulation) Act were not adequate as deterrents to child labor violations. (3,59) The government has also confirmed that it calls on NGOs to assist with official inspections, because it lacks funding and resources and also to increase transparency. (18) The government and NGOs state that most child labor occurs in the informal sector, including in companies with less than 10 employees and those that are not registered with the government. However, the government conducted most of its labor inspections in the formal sector. (18,54) Although the government claims to monitor companies regularly, NGOs report that due to resource limitations, enforcement agencies respond only to child labor complaints. (18)

In addition, the number of labor inspectors is likely insufficient for the size of Nepal's workforce, which includes more than 16.8 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Nepal should employ about 1,120 inspectors. (62-64) Although labor inspectors periodically receive training on child labor laws and inspection, this training does not necessarily adhere to any formal schedule. (55) In August 2018, DOL hired additional labor officers who are currently undergoing on-the-job training, but DOL noted that the number of inspectors was still inadequate and limited the government's adequateness in dealing with child labor issues. (18,54)

In 2018 the Ministry of Labor, Employment, and Social Security organized a training of trainers on child labor inspection curriculum, developed by Country Level Engagement and Assistance to Reduce Child Labor II, for capacity building of child labor inspection staff. A follow-up training was delivered to the Panauti Municipality stakeholders to raise awareness of child labor. (18)

The government did not provide information on its labor law enforcement efforts, including training on new laws related to child labor, the number of labor inspections conducted at worksites, the number of imposed penalties for child labor violations, and the number of imposed penalties that were collected for inclusion in this report.

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Nepal 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 the enforcement of laws that prohibit bonded labor in agriculture.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (3)	Unknown (18)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (18)
Refresher Courses Provided	Unknown (3)	Unknown (18)
Number of Investigations	Unknown (3)	Unknown (18)
Number of Violations Found	Unknown (3)	Unknown (18)
Number of Prosecutions Initiated	Unknown (3)	Unknown (18)
Number of Convictions	Unknown (3)	Unknown (18)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (43)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (18)

Once fully operational, the newly formed Anti-Trafficking in Persons Bureau within the Nepal Police, headed by a Senior Superintendent of Police, will assist in children's rescue, rehabilitation, and coordination for arrest of perpetrators. (18,28) The establishment of this bureau will allow the Government of Nepal to meet some of the obligations arising out the process of acceding to the Palermo Protocol. (28) In addition, the Nepal Police's Crime Investigation School conducts trainings for all levels of police personnel in juvenile justice, child rights, and laws relating to child labor issues. (18)

From July 2017 to July 2018, the Nepal Police identified 180 children who were victims of trafficking; from July 2018 to November 2018, the police identified 53 children who were victims of trafficking, 49 of whom were

female. (18) Data on the purpose of trafficking, the community of origin, or destination were not provided. According to the data received from the Office of the Attorney General, from July 2017 to July 2018, cases with 68 child victims of trafficking from different parts of the country were filed in courts. (18)

The government lacks both the human resource and financial capacity to enforce laws prohibiting crimes related to the worst forms of child labor, and it lacks the resources to maintain a centralized database of cases involving the worst forms of child labor, including child trafficking. (8,18,62)

The government did not provide information on its criminal law enforcement efforts, including information on whether there were initial trainings for new employees or refresher courses offered. The government also did not provide disaggregated data on child labor, including the number of violations found, the number of initiated prosecutions, the number of convictions, as well as the number of penalties imposed for violations related to the worst forms of child labor for inclusion in this report.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
Labor Relations, Child Labor Prevention, and Information Section	Coordinates policymaking on child labor inspection guidelines and monitors implementation of guidelines. (63,64) Consists of a senior factory inspector, two labor officers, and a senior assistant in MoLESS. Confers with MWCSC, Central Child Welfare Board (CCWB), Department of Labor, and District Labor Offices. (63) During the reporting period, held two meetings to discuss the provisions of the new constitution and programs aimed at combating child labor. (43)
National Network Against Child Labor	Coordinates the referral of children who are found in child labor to social services. (65) Consists of District Labor Officers, District Women and Children Officers, officers from the Nepal Police Women and Children Service Centers, Chief District Officers, NGOs, and thousands of youth clubs. (57) This body was active during the reporting period. (43)
National Coordination Committee on Human Trafficking	Coordinates the implementation of anti-human trafficking laws, policies, and programs at the central, district, and local levels of government. Led by MWCSC and consists of government officials and NGO representatives. (57,61) This body was active during the reporting period. (43)
National Human Rights Commission	Monitors and receives complaints on child rights violations. (60) Reports on the status of human trafficking victims and coordinates with civil society organizations through the Office of the Special Rapporteur on Trafficking. (57,60) In September 2018, released the ninth edition of its trafficking report. During the reporting period, concluded a qualitative study on the situation of women and children in the entertainment sector. (28)
Central Child Welfare Board, MWCSC	Coordinates with MoLESS and civil society to formulate and implement child protection and child labor-related policies. (55,60) Receives and documents complaints through the national hotline, in coordination with NGOs. Maintains Central Emergency Fund intended for use in humanitarian support for children. (18,66) Supports 12 Child Helplines in 12 districts. (18) This body was active during the reporting period. (43)
District Child Welfare Boards	Reports on child welfare activities, monitors child care homes, mobilizes resources for children at risk, receives and responds to child protection cases, and establishes mechanisms to refer children to social services. Consists of social workers, medical practitioners, and government officials. (60,67) This body was active during the reporting period. (43)
National Child Labor Elimination Committee*	Provisioned by the Nepal Master Plan. Chaired by the Secretary of MoLESS. (18) This body was active during the reporting period. (43)
National Planning Commission	Chaired by the Prime Minister. Formulates a national vision, periodic plans, and policies for development. (18) Assesses resource needs, identifies sources of funding, and allocates budget for socioeconomic development. (18) During the reporting period, carried out 11 monitoring activities in coordination with other government agencies, NGOs, and human rights organizations. (43)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

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 updating the National Plan of Action on Combatting Trafficking in Persons, Especially Women and Children to better align with the constitutional transition to federalism.

Nepal

MODERATE ADVANCEMENT

Table 9. Key Policies Related to Child Labor

Policy	Description
National Master Plan (NMP-II) to End Child Labor (July 2018–July 2028)†	Prioritizes ending the worst forms of child labor by 2022, and all forms of child labor by 2025. Uses five strategies to achieve goals. Established annual monitoring evaluation and reporting system through which information will be made publicly available. (18,68) During the reporting period, MoLESS formed a subcommittee Interagency Working Group (IAWG) composed of nine NGOs and UN agencies to help advance the implementation of the NMP-II. IAWG is currently drafting the action plan for the implementation of the NMP-II in coordination with MoLESS. (18) This policy was active during the reporting period. (43)
School Sector Development Plan (2016/17–2022/23)	Aims to expand access to education and provide alternative schooling and non-formal education to vulnerable populations, including children who are out of school and at risk of entering the worst forms of child labor. Overseen by the Ministry of Education, Science and Technology. (3,18) This policy was active during the reporting period. (43)
National Plan of Action on Combating Trafficking in Persons, Especially Women and Children (2011–2022)	Promotes and protects the rights of human trafficking victims and survivors, and outlines policies for providing justice and punishing perpetrators. (69) This policy was active during the reporting period. (43)

† 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. (3)

There is a need to update the National Plan of Action so that it better aligns Nepal’s anti-trafficking programming with the constitutional transition to federalism, as well as to better address forced labor. (2,28)

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 adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Social Security Fund Program*	Launched in 2018. MoLESS program aimed to help support workers and their families through a tripartite contribution policy, an important initiative to help combat and prevent child labor. (18,71)
Child Helpline—1098†	MWCSC- and Child Workers in Nepal-funded helpline operated by the Nepal Telecommunications Authority. (18,59) Responds to calls about missing children, child abuse, child labor, child trafficking, and child sexual abuse in 13 districts and municipalities in Nepal, as well as in Bangladesh, Bhutan, India, Maldives, Pakistan, and Sri Lanka. (55,59,72) Provides rescue services, medical treatment, counseling, legal support, skills training, and shelter services. (28) This program was active during the reporting period. (43)
Decent Work Country Program, Nepal (2018–2022)*	ILO, MoLESS, Federation of Nepalese Chambers of Commerce and Industry, and Joint Trade Union Coordination Center-implemented program. Enables decent work for all through sustainable, inclusive, and gender-responsive economic growth. (18) Strengthens institutional capacities, enhances social dialogue, and applies fundamental conventions and other international labor standards. Serves as a guiding document for ILO and social partners in organizing interventions to promote decent work in Nepal. (18)
Support for Schools‡	MoLESS program that supports schools for children ages 5–16 who are at risk of working in the worst forms of child labor. Provides scholarships to cover associated schooling costs for children outside the Kathmandu Valley to attend a local public school, and works with local NGOs to verify that children are attending class. (8) This program was active during the reporting period. (43)
Hamro Samman (“Our Respect”) (2017–2022)	USAID-funded project, implemented by Winrock International, to strengthen national and local efforts to counter trafficking in persons, improve civil society advocacy and engagement, and increase private sector partnerships to empower survivors and prevent trafficking of at-risk populations. (3,18,77) This program was active during the reporting period. (43)
“Hello Sarkar”	Initiative established by the Office of the Prime Minister. Receives child labor complaints from the public through a hotline, Facebook, and Twitter. (18) During the reporting period, received 9,790 complaints through the hotline and social media, including cases related to child labor. (43)
National Center for Children at Risk—Hotline No. 104‡	CCWVB and Nepal Police jointly run hotline operated from Bhrikutimandap, Kathmandu. (18,28) Per the Nepal Police, about four to five children on average are rescued from child labor every month from informal sectors, such as transportation, domestic help, tea shops, and restaurants, through the complaints received through the hotline. (43)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
USDOL-Funded Projects	USDOL projects in Nepal focus on both forced labor and child labor, including eliminating child labor in its worst forms. These projects include Sakriya, implemented by World Education, Inc.; From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project), implemented by the ILO; Closing the Child Labor and Forced Labor Evidence Gap: Impact Evaluations, implemented by Vanderbilt University; Closing the Child Labor and Forced Labor Evidence Gap: Impact Evaluations, implemented by the University of Notre Dame; and Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II), implemented by Winrock International. (73,74) Additional information is available on the USDOL website.

* Program was launched during the reporting period.

† Program is funded by the Government of Nepal.

During the reporting period, DOL spent nearly NRs 950,000 (approximately \$9,500) for various child labor awareness-raising activities. DOL proposed NRs 3.6 million (approximately \$31,500) to help organize an anti-child labor public outreach campaign in all seven provinces, including preparing audiovisual material for fiscal year 2018–2019. Due to a limited budget, DOL will reach out to potential partners outside the government to raise funds. (18,28)

However, gaps exist in these social programs, including with regard to barriers to education, as well as programs that support child victims of commercial sexual exploitation and children working in the production of bricks.

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 Nepal (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the Palermo Protocol on Trafficking in Persons.	2013 – 2018
	Ensure that laws are in line with ILO C. 182 by raising the minimum age to age 18 for entry into hazardous work.	2009 – 2018
	Ensure that the types of hazardous work prohibited for children are comprehensive and include sectors in which there is evidence of child labor, including brickmaking.	2015 – 2018
	Ensure that the legal framework comprehensively and criminally prohibits the trafficking of children in accordance with international standards.	2015 – 2018
	Ensure that the law criminally prohibits the use of children through age 17 in the production and trafficking of drugs.	2015 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Ensure that the age up to which education is compulsory is the same as the minimum age for work.	2009 – 2018
Enforcement	Provide sufficient resources for the collection, storage, and publication of data on labor and criminal law enforcement actions, including the number of violations, prosecutions, convictions, and the number of penalties imposed for violations related to the worst forms of child labor.	2009 – 2018
	Provide sufficient resources to create a centralized database to track and monitor cases of the worst forms of child labor.	2009 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2010 – 2018
	Ensure that legal provisions against child labor are implemented and enforced against perpetrators.	2018
	Provide data on criminal law enforcement efforts, including information on initial trainings for new employees or refresher courses offered.	2018
	Ensure the Department of Labor's budget is sufficient to adequately enforce child labor laws.	2016 – 2018
	Provide information on labor law enforcement efforts, including training on new laws related to child labor, the number of labor inspections conducted at worksites, the number of imposed penalties for child labor violations, and the number of imposed penalties that were collected.	2018
	Increase penalties to ensure sufficient deterrence of child labor law violations.	2015 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Provide additional resources to criminal law enforcement agencies so they are able to enforce laws prohibiting crimes related to the worst forms of child labor.	2011 – 2018
	Strengthen the labor inspectorate by initiating routine targeted inspections rather than performing inspections solely based on complaints received.	2017 – 2018
	Improve human resource capacity, including increasing the number of child labor inspections especially in the informal sector.	2018
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as forced labor of children, and use of children in illicit activities.	2016 – 2018
	Update the National Plan of Action on Combating Trafficking in Persons, Especially Women and Children to better address forced labor and align it with anti-trafficking programming.	2018
Social Programs	Eliminate barriers to education, especially for girls and children with disabilities, including the lack of sanitation facilities at schools, long distances to schools, fees associated with schooling, pressure to find employment, migration to work outside of Nepal, and issues with drugs and alcohol.	2013 – 2018
	Collect and publish data on child labor and its worst forms, particularly in regards to hazardous work.	2018
	Create social programs that support child victims of commercial sexual exploitation, as well as children working in the brick industry.	2018

REFERENCES

- Myers, Lisa, and Laura Theytaz-Bergman. The Neglected Link: Effects of Climate Change and Environmental Degradation on Child Labour. *Terre des Hommes*, June 2017. <http://www.terredeshommes.org/wp-content/uploads/2017/06/CL-Report-2017-engl.pdf>.
- U.S. Department of State. *Trafficking in Persons Report- 2018: Nepal*. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/nepal/>.
- U.S. Embassy- Kathmandu. Reporting. January 12, 2018.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2014. Original data from Labour Force Survey, 2008. Analysis received March 12, 2019. Please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Luitel, S.R. Interview with USDOL official. April 23, 2015.
- Saroj, K.C. Child Labour: Learn from Others. *Himalayan Times*, July 28, 2016. <https://thehimalayantimes.com/opinion/child-labour-learn-others/>.
- U.S. Embassy- Kathmandu. Reporting. January 13, 2017.
- Pradhanang, U.B., et al. National Livestock Policy of Nepal: Needs and Opportunities. *Agriculture 5* (2015). <http://www.mdpi.com/2077-0472/5/1/103/pdf>.
- Neupane, L.R. Interview with USDOL official. April 23, 2015.
- ILO-IPEC. Occupational health and safety assessment of child workers in the brick industry, Nepal. Geneva, September 1, 2014. http://www.ilo.org/ipsec/Informationresources/WCMS_IPEC_PUB_25297/lang-en/index.htm.
- Andrews, Deborah. A Better Brick: Addressing Child Labor in Nepal’s Brick-Making Industry. *The Child Labor Coalition*, May 6, 2016. <http://stopchildlabor.org/?p=4325>.
- Himalayan Times*. Number of child workers in brick kilns alarming. June 13, 2016. <http://thehimalayantimes.com/kathmandu/number-child-workers-brick-kilns-alarming/>.
- Pattison, Pete. Aid money for development projects in Nepal linked to child labour. *The Guardian*, February 12, 2015. <https://www.theguardian.com/global-development/2015/feb/12/aid-money-development-projects-nepal-child-labour>.
- Child Development Society. *Children in Brick Kilns: Origin and Migration Status*. June 12, 2016. Source on file.
- Khanal, Kalpana. For Children Working in Kilns, Nepal’s Anti-Child Labor Laws Remain Distant, Ineffective. *Global Press Journal*, May 7, 2017. <https://globalpressjournal.com/asia/nepal/children-working-kilns-nepals-anti-child-labor-laws-remain-distant-ineffective/>.
- Shrestha, Anita. Brick Kilns still a hub of child labour. *Himalayan Times*, June 12, 2017. Source on file.
- U.S. Embassy- Kathmandu. Reporting. January 22, 2019.
- Republica. High number of child labor in Udaypur. July 28, 2016. Source on file.
- U.S. Embassy- Kathmandu. Reporting. February 8, 2018.
- Balch, Oliver. 10,000 children estimated to work in Nepal’s carpet industry. *The Guardian*, November 20, 2014. <http://www.theguardian.com/sustainable-business/2014/nov/20/10000-children-estimated-to-work-in-nepals-carpet-industry>.
- The Kathmandu Post. Child workers flee carpet factory due to poor condition, sexual harassment. February 29, 2016. <http://kathmandupost.ekantipur.com/news/2016-02-29/child-workers-flee-carpet-factory-due-to-poor-condition-sexual-harassment.html>.
- Shrestha, Shreejana. Gruesome exploitation of children continues in carpet factories. *Republica*, June 19, 2015. <http://admin.myrepublica.com/society/story/23101/gruesome-exploitation-of-children-continues-in-carpet-factories.html>.
- ILO Country Office for Nepal. ILO Nepal Decent Work Newsletter. Kathmandu, May 2014: Newsletter. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-kathmandu/documents/publication/wcms_248195.pdf.
- Children and Women in Social Service and Human Rights. Status of Domestic Child Labor (DCL) in Kathmandu. Kathmandu. 2016. http://www.cwish.org.np/uploads/files/Status_of_Child_Domestic_Workers_in_Kathmandu_2016_CWISH_min_2017-08-13_20-31-34.pdf.
- Hodal, Kate. ‘My dream is coming true’: the Nepalese woman who rose from slavery to politics. *The Guardian*. October 18, 2017. <https://www.theguardian.com/global-development/2017/oct/18/i-lived-in-fear-nepalese-official-sold-as-a-slave-at-10-years-old-domestic-worker>.

- 27 Shrestha, Shreejana. Modern-day domestic slaves. *Nepali Times*, June 2017.
<https://archive.nepalitimes.com/article/nation/Modern-day-domestic-slaves-domestic-workers,3785>.
- 28 U.S. Embassy- Kathmandu. TIP Reporting. 2019.
- 29 Republica. 30 children found working as bonded laborers in Lalitpur brick kiln. February 28, 2016. Source on file.
- 30 Nazish, Kiran. Women and Girls, A Commodity: Human Trafficking in Nepal. *The Diplomat*, February 22, 2014.
<http://thediplomat.com/2014/02/women-and-girls-a-commodity-human-trafficking-in-nepal/>.
- 31 Patkar, Pravin, and Priti Patkar. A Close Look at Indo-Nepal Cross-Border Child Trafficking. Caritas India, 2017.
https://reliefweb.int/sites/reliefweb.int/files/resources/A-CLOSE-LOOK-AT-INDO-NEPAL-CROSS-BORDER-CHILD-TRAFFICKING_Book.pdf.
- 32 Nepali Sansar. Human Trafficking in Nepal - Relentless Fight for Rights Continues! Accessed: 2019.
<https://www.nepalisansar.com/special-stories/human-trafficking-in-nepal-relentless-fight-for-rights-continues/>.
- 33 Rana, K.P. Child Labour Problem. *The Himalayan Times*, April 11, 2018. Source on file.
- 34 *The Himalyan Times*. Govt, brick kiln owners agree to end child labour. July 30, 2019. Source on file.
- 35 Theirworld. Countries move to end child labour - but globally the picture is still bleak. August 9, 2018. Source on file.
- 36 U.S. Department of State. Country Reports on Human Rights Practices for 2016: Nepal. Washington, DC, March 3, 2017.
<https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/nepal/>.
- 37 Save the Children- Nepal. Appeal for Education of Children with Disability. June 26, 2014.
<https://nepal.savethechildren.net/news/appeal-education-children-disability>.
- 38 Government of Nepal. Child Labour (Prohibition and Regulation) Act, 2056 (2000), No. 14. Enacted: June 21, 2000.
http://www.nepaldemocracy.org/documents/national_laws/childlabour_act.htm.
- 39 Government of Nepal. The Bonded Labor (Prohibition) Act, (2058) 2002, No. 21. Enacted: April 20, 2002.
http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=71670.
- 40 Government of Nepal. Labour Act. Enacted: September 4, 2017. Source on file.
- 41 Government of Nepal. Trafficking in Person and Transportation (Control) Act, 2064 Bikram Era. Enacted 2007. Source on file.
- 42 Government of Nepal. Children's Act. Enacted: May 20, 1992.
http://www.nepaldemocracy.org/documents/national_laws/children_act.htm.
- 43 U.S. Embassy- Kathmandu official. Email correspondence to USDOL official. June 28, 2019.
- 44 Government of Nepal. Military Service Regulations. 2013. Source on file.
- 45 Government of Nepal. Constitution of the Kingdom of Nepal. Enacted: 2015.
http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/100061/119815/F-1676948026/NPL100061_Eng.pdf.
- 46 Government of Nepal. Education Act. Enacted: 1971. Source on file.
- 47 U.S. Embassy- Kathmandu official. Email communication to USDOL official. January 26, 2018.
- 48 U.S. Embassy- Kathmandu official. Email communication to USDOL official. January 19, 2017.
- 49 Government of Nepal. Free and Compulsory Education Act. 2018. Source on file.
- 50 Government of Nepal. Ethnic Discrimination and Untouchability (Crime and Punishment) Act, Amendment. 2018. Source on file.
- 51 Government of Nepal. Act Relating to Children 2018, (Children's Act, 1990), Act Promulgated to Amend and Codify Laws related to Children Enacted: September 18, 2018. Source on file.
- 52 ILO Committee of Experts. Observation concerning Minimum Age Convention, 1973 (No. 138) Nepal (ratification: 1997). Published: 2019.
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3957776.
- 53 UN Committee on the Rights of the Child. Concluding observations on the report submitted by Nepal under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Geneva, July 8, 2016: CRC/C/OPAC/NPL/CO/1.
https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPAC/NPL/CO/1&Lang=en.
- 54 U.S. Department of State. Country Reports on Human Rights Practices for 2017: Nepal. Washington, DC, 2018.
<https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/nepal/>.
- 55 U.S. Embassy- Kathmandu. Reporting. January 9, 2015.
- 56 U.S. Embassy- Kathmandu official. Email communication to USDOL official. June 12, 2018.
- 57 U.S. Embassy- Kathmandu. Reporting. January 21, 2014.
- 58 Government of Nepal. Women and Children Service Directorate. Nepal Police. Accessed: April 18, 2019.
<https://cid.nepalpolice.gov.np/index.php/cid-wings/women-children-service-directorate>.
- 59 U.S. Embassy- Kathmandu. Reporting. January 19, 2016.
- 60 Ministry of Women, Children and Social Welfare. Child Protection Mapping and Assessment Summary Report. September 2015.
<http://unicef.org.np/uploads/files/862008621206930562-child-protection-book.pdf>.
- 61 U.S. Embassy- Kathmandu. Reporting. February 26, 2015.
- 62 U.S. Embassy- Kathmandu official. Email communication to USDOL official. February 12, 2018.
- 63 U.S. Embassy- Kathmandu official. Email communication to USDOL official. May 4, 2017.
- 64 Winrock. Assessment of the Nepal Labor Inspectorate's Work on Child Labor. 2015. Source on file.
- 65 U.S. Embassy- Kathmandu official. Email communication to USDOL official. March 11, 2014.
- 66 Government of Nepal. State of Children in Nepal. 2017.
[http://www.ccbw.gov.np/informations/view/215/Centraluploads/Resource/CCWB Publication/report/State Of Children In Nepal 2017 {English Version}.pdf](http://www.ccbw.gov.np/informations/view/215/Centraluploads/Resource/CCWB%20Publication/report/State%20Of%20Children%20In%20Nepal%202017%20%28English%20Version%29.pdf).
- 67 Government of Nepal. Central Child Welfare Board. Ministry of Women, Children, and Senior Citizen, 2018.
<http://www.ccbw.gov.np/>.
- 68 Samiti, S.R. Master plan against child labor passed. *The Himalayan Times*, July 9, 2018 Source on file.
- 69 National Human Rights Commission. Trafficking in Persons Especially on Women and Children in Nepal. Kathmandu, 2014.
[http://www.nhrcnepal.org/nhrc_new/doc/newsletter/1592866493Report of Trafficking in Persons \(Especially on Women and Children\) National Report 2012-2013.pdf](http://www.nhrcnepal.org/nhrc_new/doc/newsletter/1592866493Report%20of%20Trafficking%20in%20Persons%20(Especially%20on%20Women%20and%20Children)%20National%20Report%202012-2013.pdf).
- 70 Children and Women in Social Services and Human Rights. Green Flag Movement. Source on file.
- 71 Nepali Sansar. Nepal Launches Social Security Scheme, Calls it 'New Era'. November 27, 2018. Source on file.
- 72 Child Workers in Nepal Concerned Centre. Child Helpline - 1098. Accessed February 11, 2018.
<https://www.cwin.org.np/index.php/programme-of-actions/child-helpline-1098.html>.

Nepal

MODERATE ADVANCEMENT

- 73 Winrock. Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II). October 2017: Technical Progress Report. Source on file.
- 74 ILO. From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project). October 2017. Technical Progress Report. Source on file.
- 75 ILO. From Protocol to Practice: A Bridge to Global Action on Forced Labor. 2018 - Technical Progress Report. Source on file.
- 76 USAID. Combating Trafficking in Persons (CTIP) Project. Kathmandu, 2010: Fact Sheet. <http://www.usaid.gov/nepal/fact-sheets/combating-trafficking-in-persons-ctip>.
- 77 Winrock International. Hamro Samman - Partnerships to Combat Human Trafficking in Nepal. 2017. Source on file.
- 78 UNICEF. Evaluation of UNICEF Nepal Country Programme Action Plan (2013-2017). January 18, 2017. https://www.unicef.org/evaldatabase/files/Nepal_2016-009_CO_CPAP_2013-2017_Evaluation_Report.pdf.
- 79 UNICEF. Nepal Country programme document 2013-2017. September 14, 2012. https://www.unicef.org/about/execboard/files/Nepal-2013-2017-final_approved-English-14Sept2012.pdf.

In 2018, Nicaragua made a minimal advancement in efforts to eliminate the worst forms of child labor. The government released its National Action Plan against Human Trafficking and provided trainings to government officials on identifying and caring for victims of human trafficking. However, children in Nicaragua engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. National policies to eliminate child labor and protect children have not been fully implemented, and the government lacks a specific and consistent mechanism to coordinate efforts to address child labor. In addition, the government does not dedicate sufficient resources to child labor law enforcement and does not publish complete criminal law enforcement data on child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

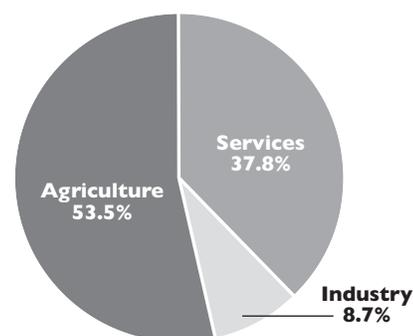
Children in Nicaragua engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1-3) Table I provides key indicators on children's work and education in Nicaragua.

Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	47.7 (342,076)
Attending School (%)	10 to 14	88.3
Combining Work and School (%)	10 to 14	40.3
Primary Completion Rate (%)		85.4

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2019. (4)
Source for all other data: International Labor Organization's analysis of statistics from Encuesta Continua de Hogares (ECH), 2012. (5)

Figure I. Working Children by Sector, Ages 10-14



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	Harvesting coffee, bananas, tobacco,† and sugarcane (1,3,6,7)
	Raising livestock (8,9)
	Collecting shellfish† (9)
Industry	Construction,† including transporting materials (8,9)
	Quarrying† of pumice and limestone, and mining† of gold (3,9,10)
	Production of gravel (crushed stones)† (11,12)
Services	Domestic work (8,9)
	Work in transportation† and as couriers† (8,9)
	Work in tourism and hotel industry (8)

Nicaragua

MINIMAL ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Street work, including vending,† washing car windshields, and performing at stoplights† (8,9,13,14) Garbage scavenging† (15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking, and use in the production of pornography (2,8-10,16) Domestic work as a result of human trafficking (17) Forced begging, sometimes as a result of human trafficking (10,17) Drug production and drug trafficking (8)

† 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.

Information about the prevalence of child labor in Nicaragua is limited because the last known national survey on child labor was published in 2012. (8,18) However, available research indicates that children are subjected to commercial sexual exploitation, particularly in Granada, Managua, the Caribbean Autonomous Regions, and San Juan del Sur. (10,16,19) Children from poor, rural areas, those in the Caribbean Autonomous Regions, and migrants from the Northern Triangle countries, are particularly vulnerable. (10) Limited research suggests that the 2018 political upheaval in Nicaragua resulted in Nicaraguan National Police focusing resources on responding to anti-government protests, possibly impacting public security and leaving children more vulnerable to commercial sexual exploitation. (8,10)

Children in Nicaragua who lack identification documents, sometimes due to a lack of birth registration, may not have access to social services and are at an increased risk of human trafficking and commercial sexual exploitation. (20) An estimated 15 percent of children born in Nicaragua lack birth certificates. Although the government’s birth registration campaign is advancing, it has not reached all children, especially in remote areas. (21,22)

Education is free and compulsory in Nicaragua; however, costs associated with school supplies and transportation make it difficult for some children, particularly those from poor backgrounds and rural areas, to attend school. (8,23,24) Limited research indicates that investment in secondary schools has lagged behind investment in primary schools and that secondary school attendance remains low, increasing the risk that older children engage in exploitative work. (1,24,25)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Nicaragua 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 Nicaragua’s legal framework to adequately protect children from the worst forms of child labor, including establishing a compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 131 of the Labor Code; Article 73 of the Childhood and Adolescence Code; Article 84 of the Constitution (26-29)
Minimum Age for Hazardous Work	Yes	18	Articles 130 and 133 of the Labor Code; Article 1 of Ministerial Agreement No. JCHG-08-06-10; Articles 2 and 74 of the Childhood and Adolescence Code (26-28,30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1–7 of Ministerial Agreement No. JCHG-08-06-10; Article 133 of the Labor Code (26,30)
Prohibition of Forced Labor	Yes		Article 40 of the Constitution; Articles 61–63 of the Law Against Trafficking in Persons; Articles 182–183 and 315 of the Penal Code (29,31,32)
Prohibition of Child Trafficking	Yes		Articles 61–63 of the Law Against Trafficking in Persons; Articles 182–183 and 315 of the Penal Code (31,32)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 61 of the Law Against Trafficking in Persons; Articles 175–183 of the Penal Code; Articles 5 and 26 of the Childhood and Adolescence Code (28,31,32)
Prohibition of Using Children in Illicit Activities	Yes		Article 61 of the Law Against Trafficking in Persons; Articles 358–359 and 362 of the Penal Code; Article 71 of Law 285 (Reform to the Narcotics Law); Article 79 of the Childhood and Adolescence Code (28,31-33)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Annex 1 of the Code on the Organization, Jurisdiction, and Social Welfare of the Military (34)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 509 of the Penal Code; Article 95 of the Constitution (29,31)
Compulsory Education Age	No	12‡	Article 121 of the Constitution; Articles 19 and 23 of the Education Law; Article 43 of the Childhood and Adolescence Code (28,29,35)
Free Public Education	Yes		Article 121 of the Constitution; Articles 8, 19, and 23 of the Education Law; Article 43 of the Childhood and Adolescence Code (28,29,35)

* No conscription (29)

‡ Age calculated based on available information (28,29,35)

Nicaraguan law is not clear regarding the age up to which education is compulsory. Article 121 of the Constitution states that primary school education is compulsory, but it does not specify an age. (29) Under Articles 19 and 23 of the Education Law, education is compulsory only through the sixth grade, which it specifies is up to age 12 and the end of primary school. (35) Article 43 of the Childhood and Adolescence Code states that both primary and secondary school education are compulsory, suggesting up to age 17, but it does not specifically state an age. (28) The lack of clarity regarding the age up to which education is compulsory and the potential gap between the compulsory education age and the minimum age for work may leave children vulnerable to child labor, including its worst forms. (36)

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 (MITRAB) that may hinder adequate enforcement of their child labor laws.

Nicaragua

MINIMAL ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MITRAB)	Enforces labor laws and sets child labor policy priorities. Conducts labor inspections through its General Labor Inspectorate, and conducts child labor inspections through its Child Labor Inspections Unit. (37) Conducts training on child labor issues and inspections. Maintains a mailbox in each of Nicaragua's 17 departments to receive complaints of child labor violations. (37)
Nicaraguan National Police (NNP)	Addresses cases of child labor and human trafficking through the Police Intelligence Unit, which detects crimes, and the Special Crimes Unit, which investigates crimes. Maintains a hotline for reporting violations of children's rights. (37,38)
Ministry of Governance	Coordinates participation between MITRAB and NNP in labor inspections in which employers resist inspection. (37)
Prosecutor General's Office	Prosecutes cases of child trafficking, commercial sexual exploitation, and the use of children in illicit activities. Contains 2 national-level and 35 department-level prosecutors who prosecute these and other crimes. (37)
Human Rights Attorney for Children	Assists in the enforcement of laws related to child labor and hazardous child labor. (37)
Ministry of the Family, Adolescence, and Childhood (MIFAN)	Maintains a hotline for receiving reports on human trafficking and commercial sexual exploitation. Assists in providing officials with training on child labor violations. (39)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Nicaragua took actions to combat child labor (Table 6). However, gaps exist within the operations of MITRAB that may hinder adequate labor law enforcement, including resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$1,345,368 (9)	\$1,286,249 (8,40)
Number of Labor Inspectors	97 (9)	97 (40)
Inspectorate Authorized to Assess Penalties	Yes (9)	Yes (8)
Initial Training for New Labor Inspectors	Yes (9)	Yes (8,40)
Training on New Laws Related to Child Labor	Yes (9)	Yes (8,40)
Refresher Courses Provided	Unknown (9)	Yes (8,40)
Number of Labor Inspections Conducted	13,617† (9)	13,830 (8,40)
Number Conducted at Worksite	13,617 (9)	Unknown
Number of Child Labor Violations Found	395 (9)	262 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (9)	Unknown (8)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (9)	Unknown (8)
Routine Inspections Conducted	Yes (9)	Yes (8)
Routine Inspections Targeted	Yes (9)	Yes (8)
Unannounced Inspections Permitted	Yes (9)	Yes (8)
Unannounced Inspections Conducted	Yes (9)	Yes (8)
Complaint Mechanism Exists	Yes (9)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (8)

† Data are from January 2017 to October 2017.

A lack of resources may hinder MITRAB's capacity to enforce child labor laws. (8,9,41) The number of labor inspectors is likely insufficient for the size of Nicaragua's workforce, which includes approximately 3 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Nicaragua would employ about 203 inspectors. (42-44) Government officials and NGOs have reported that child labor inspections throughout the country, particularly in agricultural areas, are limited due to personnel constraints and insufficient transportation and other resources. (38) Furthermore, Nicaragua has a large informal and rural workforce, and the General Labor Inspectorate may be unable to adequately cover the country's vulnerabilities to and magnitude of labor violations. (9)

In 2018, MITRAB signed 6,479 cooperative agreements with employers to prevent the hiring of minors and to protect the rights of adolescent workers. (40) The Ministry removed 8 children from work sites as a result of labor inspections and the Government of Nicaragua reported overseeing work site conditions for 2,186 adolescent workers. (8,40)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Nicaragua 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 a lack of publicly available enforcement data to inform monitoring and investigations of the worst forms of child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (9)	Yes (8)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (9)	Yes (8)
Refresher Courses Provided	Unknown (9)	Yes (8)
Number of Investigations	Unknown (9)	Unknown (8)
Number of Violations Found	Unknown (9)	Unknown (8)
Number of Prosecutions Initiated	12 (9)	Unknown (8)
Number of Convictions	2 (9)	Unknown (8)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (8)

Research did not find the number of criminal investigators employed by the Nicaraguan National Police or Prosecutor General’s Office during the reporting period. Other key enforcement information was similarly not available. (9)

The government investigated two cases of commercial child sexual exploitation, but NGOs found this number low compared to the severity of the problem in the country. (8) NGOs have reported that criminal law enforcement efforts related to the worst forms of child labor do not effectively address the scope of the problem. (45) NGOs have also indicated that criminal law enforcement agencies lack sufficient financial resources to adequately carry out criminal investigations. (45,46)

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 financial resources.

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

Coordinating Body	Role & Description
National Social Welfare System (SNBS)	Coordinates efforts on child labor and ensures that government institutions protect the rights of children and provide social services to them as part of its mandate to assist the Nicaraguan population. Comprises various government ministries, including MITRAB, MIFAN, the Ministry of Education (MINED), the Ministry of Health (MINSAs), and the Ministry of Governance. (41) Through a project funded by IOM, 10 trainings were conducted and 239 officials from agencies within SNBS were trained in the prevention, care, and protection of child trafficking victims. (40,47)
National Coalition Against Trafficking in Persons (CNCTP)	Coordinates efforts to address human trafficking for labor and commercial sexual exploitation. Led by the Ministry of Governance and comprises law enforcement agencies, the Supreme Court of Justice, and NGOs. (19) In 2018, the Government of Nicaragua released its National Action Plan on Human Trafficking 2018–2022. It also released its National Strategy for the Comprehensive Care and Assistance to Victims of Human Trafficking, which lays out goals and actions to be carried out by CNCTP. (40,48)
Ministry of the Family, Adolescence, and Childhood (MIFAN)	Maintains a guide for the provision of assistance to victims of commercial sexual exploitation and coordinates among agencies responsible for their care, as a part of the SNBS. (38) During the reporting period, 40 government officials from various ministries received training on the Guide for the Detection and Care of Victims of Human Trafficking and Sexual Exploitation. (40)

Nicaragua

MINIMAL ADVANCEMENT

The Government of Nicaragua indicated that, in 2018, the CNCTP held regular regional dialogues through 15 department and 43 municipal level working groups, coordinated by the Ministry of the Interior. (10) However, local civil society organizations working on human trafficking issues reported that, for the third year in a row, CNCTP did not engage local civil society, despite being required to do so by law. Local civil society organizations were unable to corroborate increased CNCTP activity in the local working groups. (10,19) The CNCTP also did not appoint its Executive Secretariat, which is mandated by the Law Against Trafficking in Persons. (10)

Reporting indicates that the National Social Welfare System (SNBS) does not have a specific and consistent coordinating mechanism due to limited coordination among constituent ministries and a lack of financial resources dedicated to combating child labor. (12,38) In addition, coordination between the SNBS and NGOs that address child labor is limited. (39)

Although the Ministry of the Family, Adolescence, and Childhood maintains a guide for assisting child victims of commercial sexual exploitation, reports indicate that the government had no formal procedures for the identification of human trafficking victims among high-risk populations, including children who are trafficked for commercial sexual exploitation. (17,49,50)

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 implementation of the Roadmap for the Elimination of the Worst Forms of Child Labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap to make Central America, Panama, and the Dominican Republic a Child Labor Free Zone	Sets the goal of eliminating the worst forms of child labor by 2015 and all forms of child labor by 2020. (1,51) There was no indication during the reporting period that the government took actions to implement the Roadmap. (8)
Good Government Plan	Sets development goals for government ministries, including MITRAB, MINED, and MINSa. Prioritizes human trafficking investigations; aims to protect children from commercial sexual exploitation; and commits to training teachers, creating 1,000 primary school teaching positions, and increasing access to education, including for indigenous and Afro-descendant children. (52) Research was unable to determine whether activities were undertaken during the reporting period to implement the Good Government 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 scope of their operations.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Love Program (Programa Amor)†	MIFAN program that supports vulnerable or impoverished children, including children involved in child labor, such as street work. Provides educational assistance for children and vocational training for parents. (37,53) Overseen by Nicaragua's Vice President in coordination with MINED, MINSa, MITRAB, and the Ministry of Governance. Includes children from birth to age 6 through the Love Program for the Smallest Ones. (37,53)
Educational Bridges (Puentes Educativos)†	MITRAB and MINED public-private partnership that provides education to children of coffee workers to prevent child labor during coffee harvests. (54) In 2018, provided services to over 200 children at 5 coffee farms in San Ramon, Matagalpa. (55)
Integral School Meal Program (Merienda Escolar)†	MIFAN and WFP initiative that provides children and adolescents with meals at school to address poverty and improve attendance. (38,39) In 2018, the government carried out 3 national-level distribution phases, providing food to a total of 1,200,000 Nicaraguan students. (56)
National School Supply Program (Paquete Escolar)†	MINED program that distributes packages of school supplies to preschool, primary, and secondary school children in the poorest districts to increase attendance and completion rates. (39) The government planned to distribute 700,000 packages in the year 2018, and reports indicate the program was implemented throughout the reporting period. (57)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Birth Registration Campaign†	Government initiative, in coordination with Save the Children and UNICEF, to advance birth registration campaigns. (9)

† Program is funded by the Government of Nicaragua.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (58-60)

During the reporting period, Nicaragua’s Ministry of the Interior received technological and computer equipment as part of the “*Contribuir al Fortalecimiento de la Coalición Nacional Contra La Trata de Personas en Nicaragua*” project funded by the International Organization for Migration, which aims to strengthen Nicaragua’s National Coalition Against Trafficking in Persons (CNCTP). (40,47)

The government coordinates with NGOs to provide human trafficking victims with medical, educational, legal, and psychological assistance in NGO-run shelters. (19) However, the government did not create any new programs or expand on any existing programs addressing child labor during the reporting period. (8) Rather, political upheaval in Nicaragua in 2018 resulted in the government diverting resources from social programs to respond to protests and violence. (8) The scope of current social programs is not sufficient to assist children who are trafficked or engaged in the worst forms of child labor, including commercial sexual exploitation. (37) NGOs indicate that the regions most affected by human trafficking, such as the Caribbean Autonomous Regions, lack adequate care facilities, and that children who are victims in human trafficking in these areas are referred to NGO shelters in Managua. (50)

The government does not report funding levels for or specific activities undertaken by the Love Program, and sources report that the program is underfunded. (37,38,41) Research was unable to determine what actions were taken to implement the Love Program and the Birth Registration Campaign.

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 Nicaragua (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law is consistent and provides a compulsory education age that is not less than the minimum age for work.	2014 – 2018
Enforcement	Increase the number of labor inspectors to meet the ILO’s technical advice.	2009 – 2018
	Publish complete labor law enforcement data, including information about work site inspections, number of child labor violations, and penalties imposed for violations.	2015 – 2018
	Ensure that the Ministry of Labor has sufficient funding to fully enforce child labor laws and to ensure personnel and resource needs are met.	2018
	Publish complete criminal law enforcement data related to the worst forms of child labor, including number of investigations, violations, prosecutions, and convictions.	2014 – 2018
	Ensure that criminal law enforcement efforts are sufficient to address the scope of the problem and that agencies have funding and resources necessary to carry out duties.	2014 – 2018
Coordination	Establish an adequate mechanism for identifying human trafficking victims among high-risk populations.	2018
	Increase collaboration and resources of the National Social Welfare System ministries to ensure that the government has a specific and consistent mechanism to coordinate efforts to address child labor, including with NGOs, and publicly report on their efforts.	2014 – 2018
Government Policies	Ensure that the National Coalition Against Trafficking of Persons works with local civil society organizations to address human trafficking issues, and ensure that it establishes its Executive Secretariat, as mandated by the Law Against Trafficking in Persons.	2015 – 2018
	Take steps to implement the Roadmap for the Elimination of Child Labor and the Good Government Plan, and publish information about these efforts.	2009 – 2018

Nicaragua

MINIMAL ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Collect and publish updated data on the prevalence of child labor in the country.	2018
	Expand birth registration programs, particularly in remote areas, to ensure that children have access to basic services.	2009 – 2018
	Remove barriers to education for all children and develop strategies and devote resources to improve attendance of children in secondary school.	2009 – 2018
	Implement social programs that address the full scope of the worst forms of child labor in the country, including commercial sexual exploitation.	2009 – 2018
	Ensure that social services for human trafficking victims, such as care facilities, are available throughout the country, especially in areas where children are most vulnerable.	2010 – 2018

REFERENCES

- ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Nicaragua (ratification: 1981). Published: 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3112762.
- U.S. Department of State. Trafficking in Persons Report- 2016: Nicaragua. Washington, DC, June 30, 2016. <https://2009-2017.state.gov/j/tip/rls/tiprpt/countries/2016/258832.htm>.
- ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention (No. 138) Nicaragua (ratification: 1981). Published: 2018. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3333000.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: December 16, 2016. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Encuesta Continua de Hogares (ECH), 2012. Analysis received December 15, 2016. Source on file.
- Lorio L, Alina. Persiste trabajo infantil en fincas de café y tabaco. Managua: La Prensa, February 5, 2015; Departamentales. <http://www.laprensa.com.ni/2015/02/05/departamentales/1777164-persiste-trabajo-infantil-en-fincas-de-cafe-y-tabaco>.
- La Isla Foundation. Cycle of Sickness - A Survey Report on Child Labor In the Nicaraguan Sugarcane Fields of Ingenio San Antonio. Ada, Michigan, Department of Law and Human Rights, 2015. Source on file.
- U.S. Embassy- Managua Reporting. January 29, 2019.
- U.S. Embassy- Managua Reporting. January 12, 2018.
- U.S. Embassy- Managua Reporting. February 15, 2019.
- U.S. Embassy- Managua official. Email communication to USDOL official. May 8, 2015.
- U.S. Embassy- Managua official. Email communication to USDOL official. June 22, 2018.
- La Prensa EFE. Procuradora de Niñez de Nicaragua pide penar el trabajo infantil en semáforos. [laprensa.com.ni](http://www.laprensa.com.ni) (online), June 1, 2015 (cited November 16, 2015). <http://www.laprensa.com.ni/2015/06/01/nacionales/1842805-procuradora-de-ninez-de-nicaragua-pide-penar-el-trabajo-infantil-en-semaforos>.
- Garay, Josué. Trabajo infantil persiste aún en los hogares. El Nuevo Diario, August 12, 2016 (cited). <http://www.elnuevodiario.com.ni/nacionales/400979-trabajo-infantil-persiste-aun-hogares/>.
- Romero, Elizabeth. No hay cifras actualizadas de trabajo infantil. Managua: La Prensa, June 12, 2015. <http://www.laprensa.com.ni/2015/06/12/nacionales/1849018-no-hay-cifras-actualizadas-de-trabajo-infantil>.
- El País. Explotación sexual infantil o turismo responsable. February 15, 2016. http://elpais.com/elpais/2016/02/12/planeta_futuro/1455295837_663441.html.
- U.S. Department of State. Trafficking in Person Report- 2017: Nicaragua. Washington, DC, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/nicaragua/>.
- ILO Committee of Experts. Direct Request concerning Minimum Age Convention, 1973 (No. 138) Nicaragua (ratification 1981). Published 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3956621,102780,Nicaragua,2018
- U.S. Embassy- Managua Reporting. February 12, 2018.
- U.S. Department of State. Country Reports on Human Rights Practices- 2017: Nicaragua. Washington, DC, 2017. <https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/nicaragua/>.
- Nicaragua al Día. 1959 niñas, niños acceden al derecho a un nombre y una nacionalidad en las comunidades del Alto Wangki. January 15, 2015. Source on file.
- UNICEF Nicaragua - Derecho a un nombre y una nacionalidad, UN. Cited March 18, 2015. Source on file.
- Lakhani, Nina. Poverty in Nicaragua Drives Children out of School and into the Workplace. The Guardian, May 19, 2015. <http://www.theguardian.com/global-development/2015/may/19/poverty-nicaragua-children-school-education-child-labour?CMP=EMCGBLEML1625>.
- Nicaraguan Educational Forum EDUQUEMOS. Informe de Progreso Educativo - Nicaragua. 2014. http://www.cosep.org.ni/rokdownloads/main/cosep/ipe_nicaragua_2014.pdf.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Nicaragua (ratification: 2000). Published: 2017. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3332992:NO.
- Government of Nicaragua. Código del Trabajo - Compilación de normas laborales de la República de Nicaragua a septiembre del 2009. Enacted: 1996 and 2009. Source on file.
- Government of Nicaragua. Ley núm. 474 por la que se dicta la Ley de reforma al Título VI, Libro Primero del Código de Trabajo, núm. 474. Enacted October 21, 2003. http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_isn=67286.
- Government of Nicaragua. Código de la Niñez y la Adolescencia, No. 287. Enacted: May 1998. http://www.oas.org/dil/esp/Codigo_de_la_Ninez_y_la_Adolescencia_Nicaragua.pdf.

- 29 Government of Nicaragua. Constitución Política de la República de Nicaragua. Enacted 1987, with 1995, 2002 and 2005 reforms. <http://pdba.georgetown.edu/Constitutions/Nica/nica05.html>.
- 30 Government of Nicaragua. Acuerdo Ministerial núm. JCHG-08-06-10 sobre prohibición de trabajos peligrosos para personas adolescentes y listado de trabajos peligrosos. Enacted: June 23, 2010. Source on file.
- 31 Government of Nicaragua. Código Penal de la República de Nicaragua, No. 641. Enacted: November 13, 2007. http://www.poderjudicial.gob.ni/pjupload/noticia_reciente/CP_641.pdf.
- 32 Government of Nicaragua. Ley Contra la Trata de Personas, No. 896. Enacted: February 25, 2015. Source on file.
- 33 Government of Nicaragua. Ley de Reformas y Adiciones a la Ley No. 177, Ley de Estupefacientes, Sicotrópicos, y Sustancias Controladas, No. 285. Enacted: April 15, 1999. Source on file.
- 34 Government of Nicaragua. Código de Organización, Jurisdicción, y Previsión Social Militar, con sus reformas incorporadas, No. 181. Enacted: March 3, 2014. Source on file.
- 35 Government of Nicaragua. Ley General de Educación, No. 582. Enacted: March 22, 2006. http://www.oei.es/quipu/nicaragua/Ley_Educ_582.pdf.
- 36 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Nicaragua (ratification 1981). Published 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3956625,102780,Nicaragua,2018
- 37 U.S. Embassy- Managua. Reporting. January 16, 2014.
- 38 U.S. Embassy- Managua. Reporting. February 19, 2015.
- 39 U.S. Embassy- Managua. Reporting. January 13, 2017.
- 40 Government of Nicaragua. Acciones del Estado de Nicaragua Contra el Trabajo Infantil. January 10, 2019. <https://www.el19digital.com/app/webroot/tinymce/source/2019/00-Enero/Del07al13Enero/12Enero/ACCIONES DEL ESTADO DE NICARAGUA CONTRA EL TRABAJO INFANTIL.pdf>.
- 41 U.S. Embassy- Managua. Reporting. January 26, 2016.
- 42 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy, November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 43 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 44 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 45 U.S. Embassy- Managua. Reporting. February 10, 2017.
- 46 U.S. Embassy- Managua official. Email communication to USDOL official. June 17, 2016.
- 47 International Organization for Migration. UN Migration Agency Helps Strengthen Nicaragua's National Coalition against Trafficking in Persons. Managua, June 6, 2018. <https://www.iom.int/news/un-migration-agency-helps-strengthen-nicaraguas-national-coalition-against-trafficking-persons>.
- 48 Government of Nicaragua. Estrategia Nacional Para la Atención Integral Y el Acompañamiento a Víctimas de Trata de Personas en Nicaragua. 2018. Source on file.
- 49 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Nicaragua (ratification: 2000). Published: 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3112808.
- 50 U.S. Embassy- Managua. Reporting. February 19, 2015 (TIP).
- 51 International Labor Organization Roadmap to make Central America, Panama, and the Dominican Republic a Child Labour Free Zone. March 2010. https://hrbaportal.org/wp-content/files/guia_hdr_ingles.pdf.
- 52 Government of Nicaragua. Plan de Buen Gobierno 2016. 2016: Report. Source on file.
- 53 El 19 Digital. Acciones del Estado de Nicaragua en la Lucha contra el Trabajo Infantil. October 18, 2018. <https://www.el19digital.com/articulos/ver/titulo:82846--acciones-del-estado-de-nicaragua-en-la-lucha-contra-el-trabajo-infantil>.
- 54 United States Department of Labor. Nicaraguan coffee producer Isidro León-York awarded US Labor Department's Iqbal Masih Award for the Elimination of Child Labor. News release. Washington, DC: U.S. Department of Labor, March 20, 2014. <https://www.dol.gov/newsroom/releases/ilab/ilab20140468>.
- 55 Wold Vision Por los Niños. Puentes Educativos: La compañía es el mejor regalo January 16, 2019. http://www.worldvision.org.ni/essential_grid/puentes-educativos-la-compania-es-el-mejor-regalo/
- 56 Barberena, Edgard. MINED inicia distribución de la Merienda Escolar a nivel nacional El 19 Digital. September 10, 2018. <https://www.el19digital.com/articulos/ver/titulo:81228-mined-inicia-distribucion-de-la-merienda-escolar-a-nivel-nacional>.
- 57 El Nuevo Diario Nicaragua entregara 700.000 paquetes escolares a estudiantes de escasos recursos Managua. December 26, 2017. <https://www.elnuevodiario.com.ni/nacionales/450744-nicaragua-entregara-700-000-paquetes-escolares-est/>.
- 58 Government of Nicaragua. Written communication. Submitted in response to U.S. Department of Labor's "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." February 2017. Source on file.
- 59 Noticias 100. Programa Proniño redujo y combatió al trabajo infantil. November 13, 2015. Source on File.
- 60 Fundación Telefónica Nicaragua. Programa Proniño. <http://www.fundaciontelefonica.com.ni/proniño/>.

In 2018, Niger made a moderate advancement in efforts to eliminate the worst forms of child labor. The Supreme Court set a legal precedent banning the practice of *wahaya*, a form of slavery in Niger in which men buy girls born into slavery, typically between ages 9 and 11, as “fifth wives.” The government also adopted a law to provide protection and assistance to internally displaced persons, including children, to prevent their exploitation in the worst forms of child labor. More than 300 judges, magistrates, and law enforcement officials received training on investigating and prosecuting trafficking in persons cases, and government officials participated in a regional workshop to reinforce counter-trafficking coordination among member countries of the Economic Community of West African States. In addition, the government continued to educate religious leaders on how to combat the worst forms of child labor and implemented several other programs to address the worst forms of child labor, including a program that aims to combat human trafficking and migrant smuggling. However, children in Niger engage in the worst forms of child labor, including in hereditary slavery and mining. Children also perform dangerous tasks in agriculture. Although the government made meaningful efforts in all relevant areas during the reporting period, existing child labor laws and regulations do not apply to children in unpaid or non-contractual work. Gaps in labor law enforcement, such as funding to conduct labor inspections, have also left children unprotected from the worst forms of child labor. In addition, social programs to combat child labor are insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Niger engage in the worst forms of child labor, including in hereditary slavery and mining. (1-4) Children also perform dangerous tasks in agriculture. (5-7) Table 1 provides key indicators on children’s work and education in Niger.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	42.9 (2,516,191)
Attending School (%)	7 to 14	48.0
Combining Work and School (%)	7 to 14	22.1
Primary Completion Rate (%)		73.2

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (8)

Source for all other data: International Labor Organization’s analysis of statistics from Demographic and Health Survey, 2012. (9)

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 rice, fruits, nuts, and vegetables (3,5,6)
	Herding and caring for livestock, including cattle (3,6,7)
	Fishing (6)
Industry	Quarrying† and mining† for trona, salt, gypsum, natron, and gold (1,2,10-14)
	Mechanical repair,† welding,† and metal work† (15)
	Working in construction,† tanneries,† and slaughterhouses† (6,7,16)

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Street work, including as market vendors, begging, [†] and scavenging garbage (2,7,16)
	Domestic work (2,3,7,10)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (3,4,17-19)
	Forced recruitment of children by non-state armed groups for use in armed conflict (4,7,19,20)
	Hereditary and caste-based slavery, including for cattle herding, agricultural work, domestic work, and sexual exploitation (3,4,17,19,21,22)
	Forced begging for Koranic teachers (2-4,17,22)
	Forced labor in domestic work and mining, each sometimes as a result of human trafficking (4,10,24,25)

[†] 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.

Children in Niger, especially boys and girls from the Arab, Djerma, Peulh, Tuareg, and Toubou ethnic minorities, continue to be exploited as slaves and endure slave-like practices, particularly in distant western and northern regions and along the border with Nigeria. Some children are born into slavery; others are born free but remain in a dependent status and are forced to work with their parents for their former masters in exchange for food, money, and lodging. (3,4,26) A civil society organization specializing in assisting victims of traditional slavery reported that most victims do not self-identify or file complaints against their former masters due to lack of reintegration services and dependency on their former masters. (27) A particular form of slavery in Niger is the *wahaya* practice, in which men buy girls born into slavery, typically between ages 9 and 11, as “fifth wives.” Child slaves, including those involved in the practice of *wahaya*, are forced to work long hours as cattle herders, agricultural workers, or domestic workers, and are often sexually exploited. (10,17,21,22,26-29) As with those involved in hereditary slavery, the children of *wahaya* wives are considered slaves and are passed from one owner to another as gifts or as part of dowries. (7,17,26,29,30)

In 2019, Niger’s Supreme Court set legal precedent by ruling *wahaya* to be illegal. However, the process for enforcing the ruling is unclear. (27,31,32) Anti-slavery organizations have indicated that they will conduct awareness-raising campaigns for the ruling so that more affected women will bring cases to court. (33)

In Niger, it is also a traditional practice to send boys (*talibés*) to Koranic teachers (*marabouts*) to receive religious education. However, there are limited reports that some of these boys are forced by their teachers to perform manual labor or to beg on the streets and surrender the money they earn. (2-4,17,19,34)

During the year, Boko Haram attacked numerous villages in the Diffa region along Niger’s border with Nigeria, which caused an influx of Nigerian refugees and Nigerien IDPs and strained the government’s resources for addressing child labor. Evidence suggests that Boko Haram forcibly recruited Nigerien children in the Diffa region. (7,20,35-38) In addition, refugee and internally displaced children may have difficulty accessing education, which makes them particularly vulnerable to engaging in the worst forms of child labor, including recruitment by non-state armed groups. (10,20,30,34)

There are reports of Nigerien children migrating seasonally or being trafficked to Algeria and other neighboring countries where they are forced to engage in begging or commercial sexual exploitation. (38-43) In 2015, this reportedly prompted a non-public agreement between the Nigerien and Algerian authorities for the repatriation of Nigerien migrants from Algeria. In 2018, West African migrant convoys, some of which included unaccompanied or non-Nigerien children, traveled from Algeria to Niger. (41,43-48) These children are highly vulnerable to being re-trafficked or experiencing further exploitation in forced labor, begging, or commercial sexual exploitation in Niger. (4,18,19,39,49,50) International organizations and the Government of Niger’s Directorate of Child Protection provided social services, shelter, and access to education to these unaccompanied migrant children, and they are working to resettle or repatriate the foreign unaccompanied children. (19,38,39,49,50)

Although the Constitution of Niger provides for free education, in practice, this provision is not enforced adequately because many children, especially girls, do not attend school. (7,30,34,51) The lack of school infrastructure, school materials, and limited availability of teachers, especially in rural areas, impeded access to education, which may increase the vulnerability of children to the worst forms of child labor. (3,18,30,52,53)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Niger 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 Niger's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Article 106 of the Labor Code (54)
Minimum Age for Hazardous Work	Yes	18	Article 159 of Decree No. 2017–682 (55)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 159–161 and 164–171 of Decree No. 2017–682; Article 181 of the Penal Code (55,56)
Prohibition of Forced Labor	Yes		Article 14 of the Constitution; Article 4 of the Labor Code; Article 158 of Decree No. 2017–682; Article 2 of the Law on Combating Trafficking in Persons; Article 270 of the Penal Code (51,54-56)
Prohibition of Child Trafficking	Yes		Article 107 of the Labor Code; Article 158 of Decree No. 2017–682; Article 10 of the Law on Combating Trafficking in Persons; Article 16 of the Law 2015–36 on Illicit Traffic of Migrants (54,55,57,58)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 107 of the Labor Code; Article 158 of Decree No. 2017–682; Articles 291–292 of the Penal Code; Article 10 of the Law on Combating Trafficking in Persons (54-57)
Prohibition of Using Children in Illicit Activities	Yes		Article 107 of the Labor Code; Article 158 of Decree No. 2017–682; Articles 10 and 16 of the Law on Combating Trafficking in Persons; Article 181 of the Penal Code (54-57)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 107 of the Labor Code (54)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 107 of the Labor Code (52,54)
Compulsory Education Age	No		
Free Public Education	Yes		Article 23 of the Constitution (51)

* No conscription (59)

Niger

MODERATE ADVANCEMENT

In 2018, Niger was the first African country to pass a law to protect and assist IDPs. The Law for the Protection and Assistance to Internally Displaced Persons establishes special protections for internally displaced children and penalties of 15 to 30 years in prison and a monetary fine of \$3,400 to \$8,600 for anyone who recruits internally displaced children to partake in hostilities, or for the purpose of sexual exploitation. (60-62)

Although the Labor Code establishes age 14 as the minimum age for work, it does not apply to workers in the informal economy, which does not conform to international standards that require all children to be protected under the law by establishing a minimum age for work. (63)

In 2018, the Ministry of Primary Education, Literacy, the Promotion of National Languages and Civic Education indicated that the President of Niger had committed to guaranteeing free and compulsory education for children until age 16. However, the Government of Niger has not provided a copy of the legislative or regulatory text that makes education compulsory and free until age 16. (64,65) Article 2 of the Law on the Orientation of the Educational System in Niger guarantees education for all children ages 4 to 18 but does not establish a compulsory education age. (66) In addition, in December 2017, the government passed a decree to promote girls' access to education and to prevent girls from leaving school before completing basic education. (65,67)

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 authority of the Ministry of Employment, Labor and Social Security (MELSS) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Labor and Social Security (MELSS)	Enforces labor laws and investigates Labor Code infractions, including those on child labor. In addition, conducts awareness-raising programs to combat child labor. (3,15,68,69)
National Agency to Fight Against Trafficking in Persons and Illegal Migrant Transport (ANLTP/TIM)	Implements policies and programs developed by the National Commission to Coordinate Efforts to Combat Trafficking in Persons (CNCLTP), conducts awareness campaigns about human trafficking, provides training and education to reduce the risk of human trafficking, and maintains a hotline to receive complaints on human trafficking. (4,70-72)
Ministry for the Promotion of Women and Child Protection	Works with law enforcement officials to provide vulnerable children with social and reintegration services, including education and counseling, in 54 Centers for Prevention, Promotion, and Protection (CEPPP) across the country. (3,13,73)
National Civil Police Force Morals and Minors Brigade	Investigates criminal cases involving minors, including issues pertaining to human trafficking, commercial sexual exploitation, and hereditary slavery. Housed under the Ministry of Interior and Public Security. (13,17,74)
Ministry of Justice's District and Magistrate Courts	Enforces criminal laws related to child labor through 10 district courts and 30 magistrate courts. (13,15,68)
Regional and Vigilance Committees	Prevent child trafficking by alerting law enforcement of activities linked to human trafficking, directing victims of human trafficking to law enforcement, and working closely with the Minister of Interior to raise awareness of child labor. Vigilance committees, which exist in 30 localities, report suspected cases of illegal transport of minors to the police. (75,76)
National Human Rights Commission	Receives complaints and conducts investigations of human rights violations, including hereditary slavery. (3,68)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Niger took actions to combat child labor (Table 6). However, gaps exist within the authority of the MELSS that may hinder adequate labor law enforcement, including lack of financial and human resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$20,000 (7)	\$20,000 (19)
Number of Labor Inspectors	47 (7)	47 (19)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Inspectorate Authorized to Assess Penalties	No (7)	Yes (19)
Initial Training for New Labor Inspectors	N/A (7)	N/A (19)
Training on New Laws Related to Child Labor	Yes (7)	Yes (19)
Refresher Courses Provided	Yes (7)	Yes (19)
Number of Labor Inspections Conducted	163 (7)	Unknown (19)
Number Conducted at Worksite	163 (7)	Unknown (19)
Number of Child Labor Violations Found	Unknown (7)	Unknown (19)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (7)	Unknown (19)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (7)	Unknown (19)
Routine Inspections Conducted	Yes (7)	Yes (19)
Routine Inspections Targeted	Yes (7)	Yes (19)
Unannounced Inspections Permitted	Yes (7)	Yes (19)
Unannounced Inspections Conducted	Yes (7)	Unknown (19)
Complaint Mechanism Exists	Yes (7)	Yes (19)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (19)

During the reporting period, the MELSS employed 47 labor inspectors, which is likely insufficient for the size of Niger's workforce, which includes approximately 6.5 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed countries, Niger would employ about 163 labor inspectors. (77-79) Reports indicate the government lacks equipment, transportation, and funding to conduct labor inspections and legal proceedings, especially in remote locations and in the informal sector, which employs more than 40 percent of the workforce. (7,31,68,80)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Niger 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 prosecution planning and allocating financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	N/A (7)	N/A (19)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (7)	N/A (19)
Refresher Courses Provided	Yes (7)	Yes (39)
Number of Investigations	Unknown (7)	Unknown (19,39)
Number of Violations Found	Unknown (7)	Unknown (19,39)
Number of Prosecutions Initiated	Unknown (7)	Unknown (19,39)
Number of Convictions	Unknown (7)	Unknown (19,39)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (7)	Yes (19,39)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (39)

In 2018, the Government of Niger reported it trained more than 300 judges, police investigators, and staff from the National Agency to Fight Against Trafficking in Persons and Illegal Migrant Transport (ANLTP/TIM). These trainings covered human trafficking investigation procedures, laws, and chain of custody for trafficking victims. (39) In addition, the government held a regional meeting in Niamey, with the governments of Burkina Faso, Chad, Mali, and Mauritania, and international organizations, during which the countries pledged to increase coordination in combating trafficking in persons in the region. (81,82) In 2017, the ANLTP/TIM partnered with an international organization to build the first shelter for human trafficking victims, including children, in Zinder; however, the shelter had not opened by the end of 2018 because a ministerial decree is needed to authorize operations. (22,39,71)

Niger

MODERATE ADVANCEMENT

During the reporting period, the government investigated 28 cases related to trafficking in persons and rescued 70 victims; however, it is unclear how many of these cases involved children. Although the ANLTP/TIM maintains and publicizes a hotline to report trafficking in persons crimes, the number of calls received by the hotline that involve child trafficking is unknown. (22,39) Evidence does not show that criminal law enforcement authorities made meaningful efforts to address the use of children for forced mining, forced begging, or traditional forms of caste-based servitude and hereditary slavery. (2,23,30,71,83) Reports indicate that inadequate resources, including insufficient personnel, funding, and training, hamper the capacity of enforcement authorities to coordinate and enforce laws related to child labor. (7,22,23,83)

An informal referral mechanism between NGOs, the police, and government social services is in place, but the resources and facilities available to social services agencies remain inadequate. (4,15,22) Although the exact number of children removed from the worst forms of child labor is unavailable, removal of children from child labor occurs only in extreme exploitative cases, such as child trafficking or forced labor, according to the MELSS. (84)

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 funding.

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

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Coordinates programs, advises on child labor legislation and regulations, and reviews proposals for action plans for the ILO-IPEC country program. Chaired by MELSS. (13,18,69,85)
National Commission to Coordinate Efforts to Combat Trafficking in Persons and Illegal Migrant Transport (CNCLTP/TIM)	Coordinates efforts to combat human trafficking, and develops and implements policies and programs related to human trafficking. (18,23,57,72) Includes representatives from the MELSS and civil society organizations. (70,85) In 2018, the CNCLTP/TIM supported the ANLTP/TIM to conduct training for law enforcement agencies and raise awareness on laws related to combating trafficking in persons and illicit migrant smuggling. (39)
National Committee to Combat Child Labor in Agriculture	Coordinates policies and programs to combat child labor in agriculture. (86) Chaired by the Ministry of Agriculture, includes representatives from the MELSS and the Ministry for the Promotion of Women and Child Protection, as well as non-governmental stakeholders. (87)

In 2018, the Government of Niger participated in a workshop to reinforce counter-trafficking coordination between member countries of ECOWAS. During the reporting period, the government also dedicated \$127,000 to the National Commission to Coordinate Efforts to Combat Trafficking in Persons and Illegal Migrant Transport (CNCLTP/TIM) and ANLTP/TIM, an increase of \$7,000 from 2017. (39) However, reports indicate that budget constraints hampered the effectiveness of the CNCLTP. (22,23,71) In addition, research was unable to determine whether the National Steering Committee on Child Labor was active or received any funding during the reporting period. (15)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, gaps exist that may hinder efforts to address child labor, including implementation of these policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Trafficking in Persons (2014–2018)	Aimed to enhance the legal framework to prevent human trafficking, adequately implement the laws, and provide effective protection and care for victims, including children. Led by the ANLTP/TIM. (18,72,76,88) In 2018, the ANLTP conducted a publicity program to help Nigeriens understand and identify trafficking in persons. The campaign included broadcasting anti-trafficking in persons messages via radio and television. In addition, the ANLTP/TIM conducted an education program for religious leaders on combating the forms of child trafficking most closely linked to cultural and religious traditions, such as forced begging, forced labor, and domestic work. (39)

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
Plan for Social and Economic Development (PDES) (2017–2021)	Aims to promote sustainable development and social equality. Overseen by the Ministry of Planning. (18,89) Includes activities to improve access to education for vulnerable populations, especially migrant children, and to combat street work and forced begging by children. (89) Research was unable to determine whether activities were undertaken to implement PDES during the reporting period.
National Social Protection Strategy	Aims to improve the quality of, and access to, basic education and health services; includes strategies to combat child labor. Overseen by the Ministry for the Promotion of Women and Child Protection. (17,90) Research was unable to determine whether activities were undertaken to implement National Social Protection Strategy during the reporting period.
UNDAF (2014–2018)	Promoted improved access to education for vulnerable children and aimed to build government capacity to address child labor. Fell under the direction of the Ministry of Planning and received support from international donors. (91,92) Research was unable to determine whether activities were undertaken to implement UNDAF during the reporting period.
Education and Training Sectorial Program (2014–2024)	Sets out a comprehensive map to improve the quality of, and access to, basic and higher education. Led by the Ministry of Education. (18,52,93) In 2018, the Government of Niger allocated 15 percent of its budget to education and adopted a decree for establishing protections for girls in school. (64,65,94)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (18)

The Government of Niger has not adopted the draft National Action Plan to Combat Child Labor, which was drafted in 2015 and aims to eliminate the worst forms of child labor in Niger by 2025. (18,19,95)

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 adequacy of efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
From Protocol to Practice: A Bridge to Global Action on Forced Labor (2015–2019)	USDOL-funded global project implemented by ILO to support global and national efforts aimed at combating forced labor of adults and children under the 2014 ILO Protocol and supporting Recommendation to C.29 on Forced Labor. (95,96) In 2018, a pre-situational analysis was carried out to be used as a basis for developing a national plan of action against slavery in Niger. (97) Additional information is available on the USDOL website.
Global Action Against Trafficking in Persons and the Smuggling of Migrants	\$11 million EU-funded global project implemented by UNODC, UNICEF, and the International Organization for Migration (IOM) to combat human trafficking and migrant smuggling. (98,99) In 2018, conducted trainings in combating and identifying trafficking in persons and treatment of children associated with non-state armed groups for law enforcement officials, and formed regional child protection committees. (100-104)
CEPPP†*	Government program replacing the Judicial and Preventive Education Services, in collaboration with UNICEF, to provide food, shelter, education, and vocational training to street children, many of whom are victims of child labor. (2,3,105) In 2018, operated 54 centers nationwide. (73)
Project to Reduce Child Labor in Agriculture (2016–2018)	\$247,000 Food and Agriculture Organization-funded program, implemented by the Ministry of Agriculture, that aimed to combat child labor in the agriculture sector, with a focus in the regions of Niamey, Tillabery, Dosso, and Tahoua. (106-108) Research was unable to determine whether activities were undertaken to implement the Project to Reduce Child Labor in Agriculture in 2018.
UNICEF Country Program (2014–2018)	UNICEF-funded program that supported the government's efforts to improve children's education, birth registration rates, and social inclusion, and to strengthen child protection programs, including for children of refugees in the Diffa region. (18,111,112) In 2018, in collaboration with IOM, UNHCR, and the Government of Niger's Directorate of Child Protection, provided services, including shelter, access to education and training, and reunification and repatriation for unaccompanied migrant children. (38,113)
World Bank Country Program	Aims to increase access to quality basic and secondary education, improve school infrastructure, and strengthen safety nets for vulnerable populations. (114) In 2018, constructed 195 primary school classrooms and 168 secondary school classrooms. In addition, 99,577 children have benefited from school canteens since the beginning of the project. (115)

* Program was launched during the reporting period.

† Program is funded by the Government of Niger.

Although Niger has programs that target child labor, the scope of these programs is insufficient to fully address the problem, especially in agriculture, herding, mining, and caste-based servitude. Niger also lacks a specific

Niger

MODERATE ADVANCEMENT

program to assist children exploited by religious instructors. (15,22-24,83,95)

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 Niger (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a compulsory education age equal to the minimum age of employment.	2016 – 2018
	Ensure that the law's minimum age provisions and protections apply to self-employed children and those in unpaid or non-contractual work.	2015 – 2018
	Establish implementing regulation to ensure enforcement of the Nigerien Supreme Court ruling that bans of the practice of <i>wahaya</i> .	2018
Enforcement	Increase the resources and number of labor inspectors and criminal investigators responsible for enforcing labor laws to provide adequate coverage of the workforce and meet the ILO's technical advice.	2009 – 2018
	Ensure that inspections and enforcement efforts take place in the informal sector and remote locations, in which most child labor occurs.	2014 – 2018
	Increase efforts to ensure that perpetrators of the traditional forms of caste-based servitude, hereditary slavery, and forced mining and begging are prosecuted according to the law.	2010 – 2018
	Publish complete information on inspections, violations, and penalties related to child labor.	2012 – 2018
	Ensure that government social services providers have sufficient resources and facilities to provide the necessary care to all children withdrawn from hazardous labor.	2015 – 2018
	Disaggregate complaints made to the National Agency to Fight Against Trafficking in Persons and Illegal Migrant Transport's hotline by number of children trafficked.	2013 – 2018
Coordination	Ensure that key coordinating mechanisms, such as the National Commission to Coordinate Efforts to Combat Trafficking in Persons and Illegal Migrant Transport and the National Steering Committee on Child Labor, are active and receive adequate funding to fulfill their missions.	2011 – 2018
Government Policies	Adopt and implement the National Action Plan to Combat Child Labor.	2009 – 2018
	Ensure that the policies to combat the worst forms of child labor are implemented.	2016 – 2018
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including girls, refugees, internally displaced children, and children in rural communities, by increasing school infrastructure, teacher availability, and school supplies.	2013 – 2018
	Expand the scope of programs to address the worst forms of child labor, including in agriculture, herding, mining, and caste-based servitude.	2009 – 2018
	Implement a program to target and assist children exploited by religious instructors.	2011 – 2018
	Implement the Project to Reduce Child Labor in Agriculture.	2018

REFERENCES

- 1 L'Institut Danois des Droits de l'Homme (IDDH). Étude de référence sur les Entreprises et les Droits de l'Homme: Cas des industries extractives au Niger. December 2014. <http://www.publishwhatyoupay.org/wp-content/uploads/2015/04/Rapport-Niger-basse-def.pdf>.
- 2 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Niger (ratification: 2000). Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:3250644.
- 3 UN Human Rights Council. Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Urmila Bhoola - Mission to the Niger. Report No.A/HRC/30/35/Add.1. July 30, 2015. http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session30/Documents/A_HRC_30_35_Add_1_ENG.docx.
- 4 U.S. Department of State. Trafficking in Persons Report- 2018: Niger. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/niger/>.
- 5 Government of Niger. Etude sur le travail des enfants dans les zones rizicoles au Niger. October 2014. Source on file.
- 6 Understanding Children's Work. The twin challenges of child labour and educational marginalisation in the ECOWAS region - An overview. July 2014. Source on file.
- 7 U.S. Embassy- Niamey. Reporting. January 17, 2018.
- 8 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed January 4, 2018. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.

- 9 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey (DHS), 2012. Analysis received January 12, 2018. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 10 UN Comité pour la protection des droits de tous les travailleurs migrants et des membres de leur famille. Observations finales concernant le rapport initial du Niger. Report No. CMW/C/NER/CO/R.1. October 11, 2016. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CMW/C/NER/CO/1&Lang=en.
- 11 UN International Human Rights Instruments. Core document forming part of the reports of States parties: Niger. Prepared by the Government of Niger. January 2, 2014. Source on file.
- 12 UN Office of the High Commissioner on Human Rights. End of Mission Statement by Ms. Urmila Bhoola, Special Rapporteur on contemporary forms of slavery, including its causes and consequences to the Country visit to Niger (11-21 November 2014). November 21, 2014. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15329&LangID=E>.
- 13 UN Committee on the Rights of the Child. Rapport soumis par le Niger en application du paragraphe 1 de l'article 12 du Protocole facultatif à la Convention relative aux droits de l'enfant, concernant la vente d'enfants, la prostitution des enfants et la pornographie mettant en scène des enfants. CRC/C/OPSC/NER/1. November 3, 2017. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRM/C/OPSC/NER/1&Lang=en.
- 14 ILO CEACR. Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) - Niger (Ratification: 2000). Published: 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3954922.
- 15 U.S. Embassy- Niamey. Reporting. February 1, 2017.
- 16 ILO. Rapport de l'Enquete Nationale sur le Travail des Enfants au Niger de 2009. Niamey: National Institute of Statistics of Niger, September 2011. Source on file.
- 17 Association Nigérienne pour le Traitement de la Délinquance et la Prévention du Crime (ANTD) and ECPAT. L'Exploitation Sexuelle des Enfants au Niger. November 1, 2017. Source on file.
- 18 ECPAT. Niger: Global Report on Commercial Sexual Exploitation of Children. 2017. http://www.ecpat.org/wp-content/uploads/2018/01/CMR_NIGER.pdf.
- 19 U.S. Embassy- Niamey. Reporting. February 11, 2019.
- 20 UN Human Rights Council. Report of the Special Rapporteur on the human rights of internally displaced persons on her mission to the Niger. May 9, 2018: A/HRC/38/39/Add.3 http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/38/39/Add.3.
- 21 Kane Abou, Oumarau. Pratiques esclavagistes et situation de travail forcé au Niger, ILO Pactrad II. July 28, 2015. Source on file.
- 22 U.S. Embassy- Niamey. Reporting. February 16, 2018.
- 23 U.S. Department of State. Trafficking in Persons Report- 2017: Niger. Washington, DC, June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/niger/>.
- 24 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Niger (ratification: 2000). Published: 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3114307.
- 25 ILO CEACR. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) - Niger (Ratification: 2000). 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3954925.
- 26 Anti-Slavery International and Timidria. Alternative report on Niger's implementation of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OPSC). Initial report. November 2017. https://tbinternet.ohchr.org/Treaties/CRC-OP-SC/Shared Documents/NER/INT_CRC-OP-SC_NGO_NER_29858_E.pdf.
- 27 U.S. Embassy- Niamey. Reporting. March 19, 2019.
- 28 UN Population Fund. Niger: In one girl's stand against child marriage, a path forward for development. September 29, 2014. <http://www.unfpa.org/public/home/news/pid/18338>.
- 29 Face2Face Africa. Wahaya: Niger's banned yet thriving 'marriage' in which women are turned into sexual slaves. October 1, 2018. <https://face2faceafrica.com/article/wahaya-nigers-banned-yet-thriving-marriage-in-which-women-are-turned-into-sexual-slaves>.
- 30 UN Committee on the Elimination of Discrimination against Women. Concluding observations on the combined third and fourth periodic reports of the Niger. CEDAW/C/NER/CO/3-4. July 24, 2017. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/NER/CO/3-4&Lang=en.
- 31 USDOS official. Email communication to USDOL official. March 8, 2019.
- 32 Peyton, Nellie. No more 'fifth wife' sex slaves and maids, Niger's top court rules. Reuters. March 20, 2019. <https://www.reuters.com/article/us-niger-slavery-court/no-more-fifth-wife-sex-slaves-and-maids-nigers-top-court-rules-idUSKCNIR1ITE>.
- 33 The Japan Times. Niger's top court outlaws 'fifth wife' sex-slave maids. March 21, 2019. <https://www.japantimes.co.jp/news/2019/03/21/world/social-issues-world/nigers-top-court-outlaws-fifth-wife-sex-slave-maids/#.XKfXiKBJct>.
- 34 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Niger. Washington, DC, March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/niger/>.
- 35 UNICEF. Niger Humanitarian Situation Report- July-August 2017. August 31, 2017. https://www.unicef.org/appeals/files/UNICEF_Niger_Humanitarian_Situation_Report_July_August_2017.pdf.
- 36 Murphy, Tom. UNICEF: Boko Haram's use of children for bomb attacks triples. Humanosphere, April 13, 2017. <http://www.humanosphere.org/human-rights/2017/04/unicef-boko-harams-use-of-children-for-bomb-attacks-triples/>.
- 37 Oppenheim, Maya. Armed men kidnap 15 girls in southeastern Niger after 44 soldiers killed. November 24, 2018. <https://www.independent.co.uk/news/world/africa/niger-boko-haram-girls-kidnapped-toumour-isis-armed-men-soldiers-killed-a8650261.html>.
- 38 UNICEF. Migrant children expelled to Niger in growing numbers as Europe and North Africa tighten borders. June 8, 2018. <https://www.unicef.org/press-releases/migrant-children-expelled-niger-growing-numbers-europe-and-north-africa-tighten>.
- 39 U.S. Embassy- Niamey. Reporting. February 20, 2019.
- 40 Algerie Presse Service. Mendicité des enfants à Alger: prise en charge de plus de 90 enfants de différentes nationalités. November 18, 2018. <http://www.aps.dz/societe/80910-mendicite-des-enfants-a-alger-prise-en-charge-de-plus-de-90-enfants-de-differentes-nationalites>.
- 41 UN Human Rights Council. End of mission statement of the UN Special Rapporteur on the human rights of migrants, Felipe González Morales, on his visit to Niger (1-8 October 2018). October 8, 2018. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23698&LangID=E>.
- 42 RFI. Algérie: démantèlement d'un réseau de mendicité d'enfants migrants nigériens. November 14, 2018. <http://www.rfi.fr/afrique/20181114-algerie-migrant-argent-mendiant-autorite-nigerien-reseau-mendicite>.

MODERATE ADVANCEMENT

- 43 Amnesty International. Forced to Leave: Stories of Injustice Against Migrants in Algeria. December 20, 2018. <https://www.amnesty.org/download/Documents/MDE2895122018ENGLISH.PDF>.
- 44 Human Rights Watch. Algeria: Inhumane Treatment of Migrants. June 28, 2018. <https://www.hrw.org/news/2018/06/28/algeria-inhumane-treatment-migrants>.
- 45 Amnesty International. MENA governments must end discriminatory crackdowns and abuse of migrants. December 18, 2018. <https://www.amnesty.org/en/latest/news/2018/12/mena-governments-must-end-discriminatory-crackdowns-and-abuse-of-migrants/>.
- 46 Amnesty International. Algeria: Submission the United Nations Human Rights Committee. July 2018. <https://www.amnesty.org/download/Documents/MDE288452018ENGLISH.pdf>.
- 47 UN Human Rights Committee. Concluding Observations on the fourth periodic report of Algeria. August 17, 2018: CCPR/C/DZA/CO/4. https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/DZA/CO/4&Lang=En.
- 48 UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families. Concluding observations on the second periodic report of Algeria. May 25, 2018: CMW/C/DZA/CO/2. https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CMW/C/DZA/CO/2&Lang=En.
- 49 African Committee of Experts on the Rights and Welfare of the Child. Mapping Children on the Move within Africa. November 2018. https://www.acerwc.africa/wp-content/uploads/2019/03/ACERWC_Study-Mapping-Children-on-the-Move-within-Africa-Nov2018-_A4_Website-version.pdf.
- 50 UNICEF. Protecting Children on the Move in Niger. September 2018. <https://www.unicef.org/niger/media/861/file>.
- 51 Government of Niger. Constitution de la VIIe République. Enacted: November 25, 2010. <http://mjp.univ-perp.fr/constit/2010.htm>.
- 52 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Niger (ratification: 1978). Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3250630.
- 53 UNESCO. Global Education Monitoring Report- Education for People and Planet: Creating Sustainable Futures for All. 2016. <http://unesdoc.unesco.org/images/0024/002457/245752e.pdf>.
- 54 Government of Niger. Labor Code. Enacted: September 25, 2012. Source on file.
- 55 Government of Niger. Decree 2017-682 Regulating the Labor Code. August 10, 2017. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/105523/129048/F1791736746/NER-105523.pdf>.
- 56 Government of Niger. Code Pénal, Loi N° 2003-025. Enacted: June 13, 2003. <http://www.droit-afrique.com/upload/doc/niger/Niger-Code-2003-penal.pdf>.
- 57 Government of Niger. Law on Combating Trafficking in Persons. Enacted: December 16, 2010. Source on file.
- 58 Government of Niger. Law 2015-36 on illicit trafficking of migrants. May 26, 2015. Source on file.
- 59 Child Soldiers International. Louder than words - An agenda for action to end state use of child soldiers. 2012. <https://www.child-soldiers.org/shop/louder-than-words-1>.
- 60 Government of Niger. Loi n° 2018-74 du 10 décembre 2018 relative à la protection et à l'assistance aux personnes déplacées internes. Enacted: December 18, 2018. <https://www.humanitarianresponse.info/en/operations/niger/document/niger-loi-relative-à-la-protection-et-à-l'assistance-aux-personnes>.
- 61 UNHCR. Le Niger est le premier pays d'Afrique à adopter une loi nationale sur la protection et l'assistance des déplacés internes. December 7, 2018. <https://www.unhcr.org/fr/news/press/2018/12/5c0aa9714/niger-premier-pays-dafrique-adopter-loi-nationale-protection-l'assistance.html>
- 62 Agence Nigérienne de Presse. Le Niger se dote d'une loi sur la protection et l'assistance aux personnes déplacées internes. December 3, 2018. <http://www.anp.ne/?q=article/le-niger-se-dote-d-une-loi-sur-la-protection-et-l'assistance-aux-personnes-deplacees#sthash.vRrFjENc.dpbs>.
- 63 ILO CEACR. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) - Niger (Ratification: 1978). 2019. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:P13100_COMMENT_ID:3954918.
- 64 ILO CEACR. Direct Request concerning Minimum Age Convention, 1973 (No. 138) - Niger (Ratification: 1978). Published: 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3955690:NO.
- 65 UNICEF. UNICEF Annual Report 2017: The Niger. June 2018. https://www.unicef.org/about/annualreport/files/Niger_2017_COAR.pdf.
- 66 Government of Niger. Loi N° 98-12 du 1er juin 1998, portant orientation du système éducatif nigérien. Enacted: June 1, 1998. <http://www.men.ne/titre1.html>.
- 67 Government of Niger. Decree 2017-935/PRN/MEPAPLN/EC/MES. December 5, 2017. Source on file.
- 68 U.S. Department of State. Country Reports on Human Rights Practices- 2016: Niger. Washington, DC, March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/niger/>.
- 69 Government of Niger, Ministry of Employment, Labour, and Social Security. Niger. Business and Human Rights Resource Centre. <http://business-humanrights.org/en/niger-3#>.
- 70 Government of Niger, Ministry of Justice. Determinant l'organisation, la composition, et les modalités de fonctionnement de l'Agence Nationale de la Lutte contre la Traite des Personnes. March 21, 2012. Source on file.
- 71 U.S. Embassy- Niamey. Reporting. October 30, 2017.
- 72 ILO Committee of Experts. Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Niger (ratification: 1961). Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3287334.
- 73 UN Committee on the Rights of the Child. Liste de points concernant le rapport du Niger: Réponses du Niger à la liste de points. July 2018: CRC/C/NER/Q/3-5/Add.1. https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/NER/Q/3-5/Add.1&Lang=en.
- 74 Government of Niger. Portant Création, Attributions et organisation du Service Central de Protection des Mineurs et des Femmes au Niger. January 28, 2011. Source on file.
- 75 U.S. Embassy- Niamey. Reporting. January 14, 2015.
- 76 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Niger (ratification: 2000). Published: 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3250648.
- 77 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 78 ILO Committee on Employment and Social Policy. Strategies and Practice for Labour Inspection. GB.297/ESP/3. November 2006. <http://www.ilo.org/public/english/standards/reim/gb/docs/gb297/pdf/esp-3.pdf>.

- 79 UN World Economic Situation and Prospects 2017 Statistical Annex. New York. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. http://www.un.org/en/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 80 Medina, Leandro et al. The Informal Economy in Sub-Saharan Africa: Size and Determinants. IMF, July 10, 2017: Working Paper. <https://www.imf.org/en/Publications/WP/Issues/2017/07/10/The-Informal-Economy-in-Sub-Saharan-Africa-Size-and-Determinants-45017>.
- 81 Agence Nigérienne de Presse. La réunion de Coordination de la lutte contre le trafic illicite de migrants a clos ses travaux ce vendredi à Niamey. March 16, 2018. <http://www.anp.ne/?q=article/la-reunion-de-coordination-de-la-lutte-contre-le-traffic-illicite-de-migrants-clos-ses-travaux-ce-vendredi-a-niamey>.
- 82 Délégation de l'Union européenne en République du Niger. Déclaration de Niamey sur la coordination de la lutte contre le trafic illicite de migrants et la traite des êtres humains. March 19, 2018. https://eeas.europa.eu/delegations/niger/41545/declaration-de-niamey-sur-la-coordination-de-la-lutte-contre-le-traffic-illicite-de-migrants-et_fr.
- 83 ILO Committee of Experts. Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Niger (ratification: 1961). Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3287330.
- 84 U.S. Embassy- Niamey. Reporting. January 25, 2016.
- 85 U.S. Embassy- Niamey. Reporting. January 17, 2014.
- 86 UN Food and Agriculture Organization Rome official. Email communication to USDOL official. February 23, 2015.
- 87 Government of Niger. Decree portant l'creation du Comite de pilotage du projet Travail des Enfants dans l'Agriculture. Enacted: October 28, 2014. Source on file.
- 88 Government of Niger. Plan d'Actions National de Lutte contre la Traite des Personnes. 2014. Source on file.
- 89 Government of Niger. Plan de Développement Economique et Social 2017-2021. 2017. <http://www.ne.undp.org/content/dam/niger/docs/UNDP-NE-PDES 2017-2021.pdf>.
- 90 Government of Niger. Politique Nationale de Protection Sociale. August 2011. <http://faolex.fao.org/docs/pdf/ner146468.pdf>.
- 91 UNDAF. Plan Cadre des Nations Unies pour l'Assistance au Développement (UNDAF) NIGER 2014 – 2018. 2014. http://www.uncclearn.org/sites/default/files/niger_undaf.pdf.
- 92 Government of Niger and United Nations Country Team. Rapport de la revue annuelle 2014 du Plan Cadre d'Assistance au Développement (UNDAF). December 23, 2015. Source on file.
- 93 Government of Niger. Education and Training Sectorial Program (2014-2024). 2013. Source on file.
- 94 UN Committee on the Rights of the Child. Concluding observations on the combined third to fifth periodic reports of the Niger. November 21, 2018: CRC/C/NER/CO/3-5. https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CRC/C/NER/CO/3-5&Lang=En.
- 95 ILO. The Bridge Project. October 2017: Technical Progress Report. Source on file.
- 96 ILO. From Protocol to Practice: A Bridge to Global Action on Forced Labor. 2015: Statement of Work. Source on file.
- 97 ILO. The Bridge Project. October 2018: Technical Progress Report. Source on file.
- 98 Global Action against Trafficking in Persons and the Smuggling of Migrants. Newsletter 2017: Special Edition. June 2017. http://www.unodc.org/documents/human-trafficking/2017/GLO.ACT_Newsletter_Special_Edition_June_2017.pdf.
- 99 IOM. UN Migration Agency Signs Agreement with Niger to Combat Human Trafficking. September 29, 2017: Press Release. <https://www.iom.int/news/un-migration-agency-signs-agreement-niger-combat-human-trafficking>.
- 100 UNODC. L'ONUDC forme des comités régionaux sur la protection de l'enfant au Niger. January 31, 2019. <https://www.unodc.org/unodc/en/human-trafficking/glo-act/lonudc-forme-des-comits-rgionaux-sur-la-protection-de-lenfant-au-niger.html>.
- 101 UNODC. GLO.ACT supports workshop for gendarmes on human trafficking and migrant smuggling. February 13, 2019. <https://www.unodc.org/unodc/en/human-trafficking/glo-act/glo-act-supports-workshop-for-gendarmes-on-human-trafficking-and-migrant-smuggling.html>.
- 102 UNODC. GLO.ACT trains Magistrates on Trafficking in Persons and Smuggling of Migrants in Agadez. October 2018. <https://www.unodc.org/unodc/en/human-trafficking/glo-act/glo-act-trains-magistrates-on-trafficking-in-persons-and-smuggling-of-migrants-in-agadez.html>.
- 103 UNODC. GLO.ACT supports diplomatic and consular staff training on trafficking in persons. November 22, 2018. <https://www.unodc.org/unodc/en/human-trafficking/glo-act/unodc-strengthens-nigerien-diplomatic-and-consular-staff-training-on-trafficking-in-persons.html>.
- 104 UNODC. GLO.ACT supports training of trainers in Niger on the treatment of children associated with violent and extremist groups. November 19, 2018. <https://www.unodc.org/unodc/en/human-trafficking/glo-act/glo-act-supports-training-of-trainers-in-niger-on-the-treatment-of-children-associated-with-violent-and-extremist-groups.html>.
- 105 Abdoulaye, Mamane. La ministre de la Population, de la Promotion de la Femme et de la Protection de l'Enfant aux Services Educatifs, Judiciaires et Préventifs (SEJUP): Donner un souffle d'espoir à ces centres. Le Sahel, February 21, 2014. <https://nigerdiaspora.net/index.php/politique-archives/item/66458-la-ministre-de-la-population-de-la-promotion-de-la-femme-et-de-la-protection-de-l-enfant-aux-services-educatifs-judiciaires-et-preventifs-sejup-donner-un-souffle-d-espoir-a-ces-centres>.
- 106 UN Food and Agriculture Organization Rome official. Email communication to USDOL official. April 11, 2017.
- 107 UN Food and Agriculture Organization. Niger: Country Profile. 2016. <http://www.fao.org/countryprofiles/index/en/?iso3=NER>.
- 108 UN Food and Agriculture Organization. New guide to prevent child labour in conflicts and disasters. June 12, 2017. <http://www.fao.org/news/story/en/item/895603/icode/>.
- 109 ECPAT. Prévention, Protection et Plaidoyer contre l'exploitation sexuelle des enfants au Niger. 2016. Source on file.
- 110 ECPAT. Prévention, Protection et Plaidoyer contre l'exploitation sexuelle des enfants au Niger. 2017. http://www.ecpat.lu/sites/default/files/resources/Fiche_NIGER_RGB.pdf.
- 111 UNICEF. UNICEF Annual Report 2015: The Niger. May 6, 2016. https://www.unicef.org/about/annualreport/files/Niger_2015_COAR.pdf.
- 112 UNICEF. Niger: Humanitarian Action for Children. 2018. <https://reliefweb.int/sites/reliefweb.int/files/resources/2018-HAC-Niger.pdf>.
- 113 UNICEF. Issue Brief: Protecting Children on the Move in Niger. September 2018. https://www.unicef.org/niger/media/861/file/Issue_Brief_Children_on_the_Move_Niger_2018.pdf.
- 114 World Bank. Niger - GPE - Support to Quality Education Project (PI 32405). May 30, 2017: Implementation Status & Results Report - Sequence 6. <http://documents.worldbank.org/curated/en/905481496166374129/pdf/ISR-Disclosable-PI32405-05-30-2017-1496166361737.pdf>.
- 115 World Bank. Niger - GPE - Support to Quality Education Project (PI 32405). January 4, 2019: Implementation Status & Results Report - Sequence 9. <http://documents.worldbank.org/curated/en/148641546629611962/pdf/Disclosable-Version-of-the-ISR-Niger-GPE-Support-to-Quality-Education-Project-PI32405-Sequence-No-09.pdf>.

In 2018, Nigeria made a moderate advancement in efforts to eliminate the worst forms of child labor. The government adopted the Edo State Trafficking in Persons Prohibition Law, which codified the Edo State Taskforce for implementation. Nigeria's National Agency for the Prohibition of Trafficking in Persons received \$715,100 for victim care in 2018, a three-fold increase over its 2017 allocation, and government officials appropriated \$3.8 million to provide training and education materials to raise awareness among youth of the dangers of human trafficking. Criminal investigators also conducted 314 investigations into the worst forms of child labor, resulting in 5 convictions. Although the government made meaningful efforts in all relevant areas during the reporting period, Nigeria's security forces continued to detain children for prolonged periods of time due to their alleged association with Boko Haram, including girls who were used as concubines. Children engage in the worst forms of child labor, including in quarrying granite and gravel, commercial sexual exploitation, and armed conflict. Other gaps remain, including inconsistencies regarding child labor in the legal framework, and the minimum age for work is below international standards. Furthermore, there are not enough labor inspectors to provide sufficient coverage of the workforce, and social programs are not sufficient to address the scope of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nigeria engage in the worst forms of child labor, including in quarrying granite and gravel, commercial sexual exploitation, and armed conflict. (1-4) Table 1 provides key indicators on children's work and education in Nigeria.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	31.1 (13,924,739)
Attending School (%)	5 to 14	76.2
Combining Work and School (%)	7 to 14	26.8
Primary Completion Rate (%)		73.8

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011. (6)

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 manioc/cassava, cocoa, rice, and tobacco (2,7,8)
	Fishing, activities unknown (9)
	Herding livestock (8)
Industry	Mining and quarrying of granite and gravel (1,2)
	Artisanal gold mining and processing (1,8,10,11)
	Harvesting sand (1,11)
	Construction, including making bricks and carrying construction materials (2,8)
Services	Domestic work (2,8,12-14)
	Collecting money on public buses, washing cars, and automotive repair (1,8,12,13,15)
	Street work, including vending, begging, and scavenging (1,2,8,12,13,15,16)

Nigeria

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (4,8,12,14,18,19)
	Forced begging; domestic work; street vending; textile manufacturing; mining and quarrying gravel, granite, and gold; and labor in agriculture, including in cocoa, each sometimes as a result of human trafficking (4,8,14,20,21)
	Recruitment of children by non-state armed groups for use in armed conflict and in non-conflict support roles (4,14,22-24)

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

In northern Nigeria, many families send children from rural to urban areas to live with Islamic teachers and receive a Koranic education. These children may receive lessons, but teachers often force them to beg on the streets and surrender the money they collect. (14,25,26) Furthermore, these children are highly vulnerable to recruitment by Boko Haram, which continued to forcibly recruit and use child soldiers in combat and support roles, as well as suicide bombers and concubines. (3,4,22-24,26,27) Unlike in previous years, there were no new reports that the Civilian Joint Task Force (CJTF), a non-state self-defense militia involved in fighting Boko Haram, recruited or used children during the reporting period. (28,29)

Benin City, the capital of Edo state, is a major human trafficking hub in Africa, but increased enforcement efforts may have caused some human trafficking rings to shift their focus to other areas of southern Nigeria. (29-31) Girls from Nigeria are sent to North Africa and Europe for forced labor and commercial sexual exploitation. (26,31-35) Children from West African countries experience forced labor in Nigeria, including in granite and gold mines. (4,20)

In 2018, the security situation in Nigeria continued to worsen, due to attacks by insurgency groups such as Boko Haram and conflicts in rural areas between farmers and herders. (29) This resulted in the displacement of about 2 million people, of which 56 percent were children. (23,26,36) Some girls, particularly unaccompanied minors, were subjected to commercial sexual exploitation in internally displaced persons (IDP) camps and military barracks, often by members of the Nigerian military, the CJTF, and other camp security personnel in exchange for food. (4,23,26,27,29,34,37-40) Research was not able to determine the scale of this problem in 2018.

Although free and compulsory education is federally mandated by the Education Act, little enforcement of compulsory education laws occurs at the state level. School fees are often charged in practice, and the cost of materials can be prohibitive for families. (8,41) When families experienced economic hardship, the enrollment of boys was typically prioritized over the enrollment of girls. Other barriers to education include a lack of teachers, sexual harassment, inadequate sanitation facilities, and fear of abduction or attack by Boko Haram while at school, particularly for girls in the northeastern part of the country. (8,13,23,26,42,43) Furthermore, schools may be used to house IDPs or occupied by government armed forces in their campaign against Boko Haram and the Islamic State-West Africa. (24,27,44) Almost 1,400 schools have been destroyed since 2009, and more than 57 percent of schools in Borno State were closed in the 2017/2018 school year due to violence in the area, leaving about 3 million children without access to education. (24,27)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Nigeria 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	✓

Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 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 Nigeria's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	12	Section 59(1) of the Labour Act; Sections 28 and 29 of the Child's Right Act (45,46)
Minimum Age for Hazardous Work	Yes	18	Section 59(5) and (6) of the Labour Act; Sections 28, 29, and 277 of the Child's Right Act (45,46)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Sections 59–61 of the Labour Act; Section 28 of the Child's Right Act; Section 23 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act (45-47)
Prohibition of Forced Labor	Yes		Sections 13, 22, and 24–25 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Sections 28 and 30 of the Child's Right Act (46,47)
Prohibition of Child Trafficking	Yes		Section 13 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Section 30 of the Child's Right Act (46,47)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 13–17 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Sections 30 and 32 of the Child's Right Act; Section 23 of the Cybercrimes Act (46,47,48)
Prohibition of Using Children in Illicit Activities	Yes		Section 19 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Sections 25–26 and 30 of the Child's Right Act (46,47)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 28 of the Armed Forces Act; Section 34 of the Child's Right Act (46,49)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Section 19 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act (47)
Compulsory Education Age	Yes	15	Sections 2 and 15 of the Education Act; Section 15 of the Child's Right Act (46,50)
Free Public Education	Yes		Sections 2–3 of the Education Act; Section 15 of the Child's Right Act (46,50)

* No conscription (49)

In 2018, Edo State adopted the Edo State Trafficking in Persons Prohibition Law, which codified the Edo State Taskforce Against Human Trafficking and provides a comprehensive framework for the prevention, detection, and prosecution of human trafficking. (14,51) This is the first state-level legislation prohibiting human trafficking in Nigeria, and it complements federal legislation. (29)

The Federal Child's Right Act (CRA) codifies the rights of children in Nigeria and must be adopted and implemented by each state to become law in its territory. (26,46) To date, 26 states and the federal capital territory have adopted and implemented the CRA; all 10 of the remaining 10 states are in northern Nigeria. (26,52)

Nigeria

MODERATE ADVANCEMENT

The laws in Nigeria regarding minimum age for employment are inconsistent. The CRA supersedes all legislation related to children, yet it states that the provisions related to young people in the Labour Act still apply to children. This includes Section 59, which sets the minimum employment age at 12, in contradiction to the CRA, which only permits children under age 18 to engage in light work for family members. (45,46) The Labour Act also permits children of any age to do light work in agriculture and domestic work if they are working with a family member. Furthermore, the minimum age protections in the Labour Act do not apply to children who are self-employed or working in the informal economy. (45,53) Furthermore, 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.

Although the Labour Act forbids the employment of youth under age 18 in work that is dangerous to their health, safety, or morals, it does not establish the types of hazardous activity that are prohibited to children under age 18. (45,53) The National Steering Committee for the Elimination of the Worst Forms of Child Labor developed a report in 2013 that identified hazardous child labor in Nigeria; however, the government has yet to determine by law or regulation the types of hazardous work prohibited for children. (2,53)

Although the CRA criminalizes using, procuring, and offering a child in the production and trafficking of drugs, the 10 states that have not yet ratified the CRA have no legislation in place to criminalize this activity. (26,46) Lastly, children are not excluded from the Terrorism Prevention Act's penalty of life imprisonment for assisting in acts of terrorism. (54)

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 Employment (MOLE) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Labor Inspectorate, Ministry of Labor and Employment (MOLE)	Deploys labor inspectors across 36 state labor offices and the federal capital territory to enforce federal child labor laws. (8,26,55)
National Agency for the Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP)	Enforces laws against human trafficking and exploitative labor. Coordinates with the Ministry of Women's Affairs and Social Development and state governments to provide child victims with social services and reunite trafficked children with their families. (8,14,26) Operates hotlines for victims in Abuja and each zonal command center. (29) In 2018, launched an app, iReport, that allows users to report cases of human trafficking. (56)
Nigeria Police	Enforces all laws prohibiting forced child labor and commercial sexual exploitation. Collaborates with NAPTIP on human trafficking enforcement. (8)
Nigeria Immigration Service	Collaborates with NAPTIP to enforce laws against child trafficking. (8)
Edo State Taskforce Against Human Trafficking*	Enforces the Edo State Trafficking in Persons Prohibition Law as well as other laws prohibiting trafficking in persons, and investigates all cases of child trafficking and forced child labor. Includes an Investigation and Security Unit tasked with the prevention and detection of human trafficking cases. (51) As of March 2019, investigated 56 cases and filed charges in 20 cases. (29,57)

* Agency responsible for child labor enforcement was created during the reporting period.

Labor Law Enforcement

In 2018, labor law enforcement agencies in Nigeria took action to combat child labor (Table 6). However, gaps exist within the operations of MOLE that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	\$506,755 (58)
Number of Labor Inspectors	888 (59)	1,164 (58)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Inspectorate Authorized to Assess Penalties	Yes (45)	Yes (45)
Initial Training for New Labor Inspectors	Yes (59)	Yes (58)
Training on New Laws Related to Child Labor	N/A	Unknown
Refresher Courses Provided	Unknown	Unknown
Number of Labor Inspections Conducted	25,395 (59)	24,646 (58)
Number Conducted at Worksite	23,472 (59)	24,646 (58)
Number of Child Labor Violations Found	606 (59)	438 (58)
Number of Child Labor Violations for Which Penalties Were Imposed	3 (59)	320 (58)
Number of Child Labor Penalties Imposed that Were Collected	0 (59)	316 (58)
Routine Inspections Conducted	Yes (59)	Yes (58)
Routine Inspections Targeted	Yes (59)	Unknown
Unannounced Inspections Permitted	Yes (45)	Yes (45)
Unannounced Inspections Conducted	Yes (59)	Yes (58)
Complaint Mechanism Exists	Yes (59)	Yes (58)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (59)	Yes (58)

Of the 24,646 inspections conducted in 2018, 7,394 were dedicated child labor inspections. A total of 48 children were removed from situations of child labor during the reporting period. Social services were provided to a number of children, including enrolling 333 children in primary or secondary education and reuniting 316 children with their families. (58) However, enforcement of child labor laws remains challenging due to the lack of resources for inspections, and research did not find mechanisms to enforce existing protections for children in the informal sector. (58,60)

Although the Government of Nigeria significantly increased the number of labor inspectors, the total number of labor inspectors is likely insufficient for the size of Nigeria's workforce, which includes approximately 60 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Nigeria would employ about 4,005 labor inspectors. (61,62)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Nigeria 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 investigation planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (63)	Yes (29)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Unknown
Refresher Courses Provided	Yes (63)	Yes (29)
Number of Investigations	25† (64)	314 (8)
Number of Violations Found	3 (59)	72 (29)
Number of Prosecutions Initiated	10† (64)	12‡ (65)
Number of Convictions	10† (64)	24‡ (65)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (8)

† Data are from January 2017 to September 2017.

‡ Data are from April 2018 to February 2019.

NAPTIP's 2018 operating budget was about \$11.9 million, more than double its 2016 budget. (29) During the reporting period, the Government of Nigeria convicted a total of 48 individuals in 28 cases of adult and child trafficking between April 2018 and February 2019, the most in a given year and almost double the previous year's

Nigeria

MODERATE ADVANCEMENT

total number of convictions. (29,65) At least three government officials are being prosecuted for exploitation of a minor, two for child trafficking-related offenses, and the other for commercial sexual exploitation. (29)

Criminal law enforcement authorities continued to detain children for their alleged association with Boko Haram, including girls who were victims. (4,24,26,27,37,40) Although the government released some of the children and referred them to social services providers, many remained in detention facilities for prolonged periods. (4,24,26)

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 efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
National Steering Committee for the Elimination of the Worst Forms of Child Labor	Coordinates efforts to combat child labor. Led by MOLE, and comprises representatives from seven governmental agencies, faith-based organizations, NGOs, ILO, and UNICEF. (8) Research was unable to determine whether this body was active during the reporting period.
Inter-Ministerial Taskforce on Trafficking in Persons	Coordinates child labor issues related to human trafficking. Chaired by NAPTIP. (8) Met throughout the reporting period and drafted a Protocol for Identification, Safe Return, and Rehabilitation of Trafficked Persons and considered NATIP's 2018–2023 national action plan. (4)
State Steering Committees on Child Labor	Guide state-level implementation of the National Policy on Child Labor. (8) Research was unable to determine whether this body was active during the reporting period.

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 implementing a new national child labor action plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
NAPTIP 2019 Plan of Action†	Provides a framework for mobilizing NAPTIP and all stakeholders involved in combating human trafficking, with an emphasis on enforcement, prosecution, and provision of victim services. (66) NAPTIP also held consultations with stakeholders to develop a longer 5-year action plan. (29)
National Action Plan for Preventing and Countering Violent Extremism	Designed to end the recruitment and use of children by CJTF. Aims to promote the protection of children's rights, ensure that suspects under age 18 are treated in accordance with international law, and provide for disarmament, demobilization, and reintegration for children previously associated with CJTF. (67-69) In 2018, CJTF conducted awareness-raising activities to prevent child recruitment and cooperated with Borno state officials and the UN Country Task Force on Monitoring and Reporting during verification and screening procedures, resulting in the release of 833 children, some as young as 11 years old. (24,28,29)

† 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. (70)

Although the Government of Nigeria has adopted policies on human trafficking and the use of children in armed conflict, research found no evidence of a policy on other worst forms of child labor since the conclusion of the National Policy on Child Labor in 2017.

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 efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Decent Work Country Program II (2015–2018)	ILO-implemented project in coordination with the government that aims to combat child labor, including its worst forms. Aims to build government capacity to conduct child labor surveys and establish community-based child labor monitoring systems. (42) In 2018, under this program, ILO supported capacity-building workshops in six areas; continued implementation of the Freedom of Movement of Persons and Migration in West Africa Project (2013–2020); and began implementing a regional project titled Accelerating Action for the Elimination of Child Labor in Supply Chains in Africa, which will focus on the gold and cocoa sectors. (71)
NAPTIP Shelters for Human Trafficking Victims†	Government-funded program that operates 10 shelters in Nigeria, with a total capacity of 315 victims. Shelters provide legal, medical, and psychological services, as well as vocational training and business management skills. (4,14) Continued to provide services to victims in 2018. (29)
Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor	USDOL-funded project implemented by ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to combat child labor and forced labor. Additional information is available on the USDOL website. (72) In 2018, completed data collection on forced child labor in conflict zones in three countries, including Nigeria. (73)
World Bank-funded Programs	Projects which aim to improve access to education. Includes: National Social Safety Nets Project (2016–2022), a \$50 million project that aims to provide primary school lunches and offer conditional cash transfers based on children's enrollment; Nigeria Partnership for Education Project (2015–2019), a \$100 million project that aims to improve access and quality of education in selected states, particularly for girls; and the Better Education Service Delivery for All (BESDA) (2017–2022), a \$611 million project which aims to increase access to education for out-of-school youth and improve literacy. (74-76) In 2018, as part of BESDA, provided cash transfers to 256,000 households in 13 states, awarded 15,221 grants to primary schools, and disbursed 15 grants to focus states. (77-79)
Safe Schools Initiative	Donor-funded program implemented by the government and international organizations that aims to improve access to education in northeastern Nigeria. (25,80,81) In 2018, signed the letter of endorsement for the Safe Schools Declaration, which commits the government to take steps to decrease the likelihood that schools, students, and teachers will be attacked. (24,82)

† Program is funded by the Government of Nigeria.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (83)

NAPTIP received \$715,100 for victim care in 2018, more than a threefold increase from its 2017 allocation, and the government appropriated \$3.8 million to provide training and education materials to discourage vulnerable youth from becoming victims of human trafficking. (8) However, this funding was insufficient to address the full scope of the problem, and research found no evidence of programs to specifically address children engaged in agriculture, quarrying, commercial sexual exploitation, domestic work, and illicit activities.

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 Nigeria (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory; ensure that national legislation on the minimum age for work is consistent; and that all children are protected, including those who are self-employed.	2012 – 2018
	Ensure that provisions related to light work conform to international standards.	2009 – 2018
	Ensure that the types of work determined to be hazardous for children are prohibited by law or regulation for all children under age 18.	2009 – 2018
	Ensure that using, procuring, and offering a child for the production and trafficking of drugs are criminally prohibited in all states.	2015 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Amend the Terrorism Prevention Act to prohibit the punishment of children for their association with armed groups.	2016 – 2018

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on the training of labor inspectors and criminal investigators, as well as other enforcement data, including whether targeted routine inspections were conducted and if penalties were imposed for violations related to the worst forms of child labor.	2009 – 2018
	Significantly increase the number of labor inspectors to meet the ILO's technical advice. Ensure that labor inspectors receive sufficient resources to enforce child labor laws.	2016 – 2018
	Ensure that a mechanism exists for enforcing existing protections for children working in the informal sector.	2010 – 2018
	Cease the practice of detaining children associated with armed groups for prolonged periods of time and refer these children to social services providers.	2015 – 2018
Coordination	Ensure that all coordinating bodies are active and able to carry out their mandates as intended.	2018
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, including the commercial sexual exploitation of children and forced child labor in granite, gravel, and cocoa production.	2018
Social Programs	Ensure that all states adopt programs to offer free education and expand existing programs that provide funds to vulnerable children, especially girls, to cover school fees and the cost of materials.	2014 – 2018
	Ensure an adequate number of trained teachers and provide sufficient educational infrastructure for children, particularly girls, to access schools. Remove all armed groups and forces from schools and compounds.	2015 – 2018
	Establish and expand programs that prevent and remove children from child labor in agriculture, quarrying, armed conflict, commercial sexual exploitation, domestic work, and illicit activities.	2009 – 2018

REFERENCES

- ILO. Report on the Rapid Assessment of Child Labour Situation in Artisanal Mines and Quarries in Ogun and Oyo States of Nigeria. Abuja. 2013. Source on file.
- Government of Nigeria, Federal Ministry of Labour and Productivity. List of Hazardous Child Labour in Nigeria. 2013. http://www.ilo.org/wcmsp5/groups/public/---africa/---ro-addis_ababa/---ilo-abuja/documents/publication/wcms_300829.pdf.
- UNICEF. Children under attack at shocking scale in conflicts around the world, says UNICEF. December 28, 2017. https://www.unicef.org/media/media_102357.html.
- U.S. Department of State. Trafficking in Persons Report- 2018: Nigeria. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/nigeria/>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4, 2011. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Sylvester, Enoghase. How Tobacco Industry Players Veil Child Labour, Smuggling as CSR. Daily Independent. May 5, 2014. <http://allafrica.com/stories/201405081068.html>.
- U.S. Embassy- Abuja. Reporting. March 5, 2019.
- U.S. Embassy Abuja official. Email communication to USDOL official. February 2, 2018.
- Environmental Law Institute. Artisanal and Small-Scale Gold Mining in Nigeria: Recommendations to Address Mercury and Lead Exposure. November 2014. http://www.eli.org/sites/default/files/docs/nigeria_asgm_assessment_-_final_report.pdf.
- Global Rights Nigeria official. Interview with USDOL official. May 7, 2018. Source on file.
- Amaefule, Everest. Nigeria Has Eight Million Child Labourers – NAPTIP. Punch. June 2, 2016. <http://punchng.com/nigeria-eight-million-child-labourers-naptip/>.
- Abubakar, Ali Abare. Child labor continues to be a pressing problem in Nigeria. Girls are especially at risk. July 30, 2018. <https://www.pri.org/stories/2018-07-30/child-labor-continues-be-pressing-problem-nigeria-girls-are-especially-risk>.
- UNHCR. End of visit statement, Nigeria (3-10 September) by Maria Grazia Giammarinaro, UN Special Rapporteur on Trafficking in Persons, especially Women and Children. September 10, 2018. <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23526&LangID=E>.
- Daily Independent. Are There Hiccups With the Draft Policy On Child Labour? April 1, 2015. <http://allafrica.com/stories/201504020402.html>.
- Anumihe, Isaac. Kid Beggars Lay Siege to Abuja. The Sun. June 8, 2016. <http://sunnewsonline.com/kid-beggars-lay-siege-to-abuja/>.
- Akinwotu, Emmanuel. From Hawkers to Criminals: How the Lagos Ban on Street Selling Hurts the City. The Guardian. August 3, 2016. <https://www.theguardian.com/cities/2016/aug/03/hawkers-criminals-lagos-ban-street-selling>.
- Auwal, Abubakar. Nigeria: NAPTIP Discovers Centres for Pornographic Performance in Sokoto. Daily Trust. June 7, 2016. <http://allafrica.com/stories/201606071322.html>.
- The News Chronicle. In Abuja, A Noisy Night at a Sex Market. August 14, 2016. <http://thenews-chronicle.com/in-abuja-a-nosy-night-at-a-sex-market/>.
- Devillard, Alexandre, et al. A Survey on Migration Policies in West Africa International Centre for Migration Policy Development and International Organization for Migration. March 2015. http://www.icmpd.org/fileadmin/ICMPD-Website/ICMPD_General/Publications/2015/A_Survey_on_Migration_Policies_in_West_Africa_EN_SOFT.pdf.

- 21 Nwabani, Adaobi Tricia. Trafficked, beaten, and abused: The life of a Nigerian house girl; Titi, 14, recounts horrific ordeals of young life as domestic servant in troubled West African nation. *The Independent*. July 24, 2017.
<http://www.independent.co.uk/news/world/africa/nigeria-house-girls-trafficking-beaten-abused-servants-modern-slavery-titi-14-case-study-a7856861.html>.
- 22 News 24. Four teen girl suicide bombers launch deadly attack in Nigeria. April 1, 2018.
<https://www.news24.com/Africa/News/four-teen-girl-suicide-bombers-launch-deadly-attack-in-nigeria-20180331>
- 23 Plan International. Adolescent Girls in crisis: Voices from the Lake Chad Basin. August 29, 2018.
<https://plan-international.org/publications/adolescent-girls-crisis-lake-chad-basin>.
- 24 UN. Global Horizontal Notes. January - September 2018. Source on file.
- 25 Oduah, Chika. Teaching Peace to Protect Young Nigerians from Hate. *Al Jazeera*. May 31, 2015.
<http://www.aljazeera.com/indepth/features/2015/05/teaching-peace-protect-young-nigerians-hate-150531105625144.html>.
- 26 U.S. Department of State. Country Reports on Human Rights Practices-2018: Nigeria. Washington, DC. March 13, 2019.
<https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/nigeria/>.
- 27 UN Security Council. Conclusions on children and armed conflict in Nigeria. December 13, 2017: S/AC.51/2017/5.
http://www.un.org/ga/search/view_doc.asp?symbol=S/AC.51/2017/5&Lang=E&Area=UNDOC.
- 28 Schlein, Lisa. UNICEF: Armed Militia in NE Nigeria Releases 833 Child Soldiers. October 13, 2018.
<https://www.voanews.com/a/unicef-armed-militia-nigeria-child-soldiers/4612143.html>.
- 29 U.S. Embassy- Abuja. Reporting. March 25, 2019.
- 30 ITV News. In Numbers: People Trafficking in Nigeria. October 15, 2015.
<http://www.itv.com/news/2015-10-15/in-numbers-people-trafficking-in-nigeria/>.
- 31 Politi, James and Maggie Fick. The Long and Dangerous Road to Slavery. *Financial Times Magazine*. December 3, 2015.
<http://www.ft.com/cms/s/2/26f1a120-990f-11e5-95c7-d47aa298f769.html#axzz3tHDnMA3W>.
- 32 Kelly, Annie, and Lorenzo Tondo. Trafficking of Nigerian women into prostitution in Europe 'at crisis level.' *The Guardian*. August 8, 2016. Zee
<https://www.theguardian.com/global-development/2016/aug/08/trafficking-of-nigerian-women-into-prostitution-in-europe-at-crisis-level>.
- 33 Nwabani, Adaobi Tricia, and Kieran Guilbert. Migrant Crisis Fuels Sex Trafficking of Nigerian Girls to Europe. *Thomson Reuters*. May 31, 2016.
http://news.trust.org/item/20160531113102-8rlpa/?utm_source=Media+Review+for+June+2,+2016&utm_campaign=DMR-+EN+-+06/2/2016&utm_medium=email.
- 34 Save the Children. Young Invisible Enslaved: The Child Victims at the Heart of Trafficking and Exploitation in Italy. November 2016.
https://resourcecentre.savethechildren.net/sites/default/files/documents/full_report_tiny_invisible_slaves.pdf.
- 35 Reguly, Eric. In Sicily, sex slavery takes hold on the edges of an African exodus. *The Globe and Mail*. May 7, 2017.
<http://www.theglobeandmail.com/news/world/sex-slavery-african-women-in-italy/article34895329/>.
- 36 IOM. Displacement Tracking Matrix. January 2019.
[https://displacement.iom.int/system/tdf/reports/Nigeria - DTM Round 26 Report \(January 2019\).pdf?file=1&type=node&id=5334](https://displacement.iom.int/system/tdf/reports/Nigeria - DTM Round 26 Report (January 2019).pdf?file=1&type=node&id=5334).
- 37 Amnesty International. 'They Betrayed Us' Women Who Survived Boko Haram Raped, Starved and Detained in Nigeria. 2018.
<https://www.amnesty.org/download/Documents/AFR4484152018ENGLISH.PDF>.
- 38 Searcey, Dionne. They Fled Boko Haram, Only to Be Raped by Nigeria's Security Forces. *The New York Times*. December 8, 2017.
<https://www.nytimes.com/2017/12/08/world/africa/boko-haram-nigeria-security-forces-rape.html>.
- 39 UN Human Rights Council. Report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Nigeria (A/HRC/35/27/Add.1). April 12, 2017.
<https://reliefweb.int/report/nigeria/report-special-rapporteur-human-rights-internally-displaced-persons-his-mission>.
- 40 Amnesty International. Report 2017/18: The State of the World's Human Rights. London, 2018.
<https://www.amnesty.org/download/Documents/POLI067002018ENGLISH.PDF>.
- 41 Stein, Chris and Ibrahim Yakubu. Nigeria's Kaduna State Removing School Fees. *VOA*. November 2, 2015.
<https://www.voanews.com/africa/nigerias-kaduna-state-removing-school-fees>.
- 42 Government of Nigeria, ILO. Decent Work Country Program II (2015-2018). January 2015.
http://www.ilo.org/addisababa/information-resources/publications/WCMS_458263/lang-en/index.htm.
- 43 Oduah, Chika. Fear Still Grips Dapchi Girls' School in Nigeria. May 21, 2018.
<https://www.voanews.com/a/nigeria-school-girls-afraid-boko-haram-will-return/4402815.html>.
- 44 UN Security Council. Report of the Secretary-General on children and armed conflict in Nigeria. S/2017/304. April 10, 2017.
<http://reliefweb.int/sites/reliefweb.int/files/resources/N1709682.pdf>.
- 45 Government of Nigeria. Labour Act (Chapter 198) (No. 21), as amended. Laws of the Federation of Nigeria (1990 Revised edition), Vol. X, Cap. 198. Enacted: 1990.
<http://www.ilo.org/dyn/natlex/docs/WEBTEXT/42156/64980/E7RNGA01.htm#p3>.
- 46 Government of Nigeria. Child's Right Act, No. 26. Enacted: July 31, 2003. Source on file.
- 47 Government of Nigeria. Trafficking in Persons (Prohibition) Enforcement and Administration Act. Enacted: March 26, 2015.
http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=101267&p_country=NGA&p_count=237&p_classification=03&p_classcount=3.
- 48 Government of Nigeria. Cybercrimes (Prohibition, Prevention, Etc) Act, 2015. Enacted: 2015.
<http://lawnigeria.com/LawsOfTheFederation/Cyber-Crime-Act,-2015.html>.
- 49 Government of Nigeria. Armed Forces Act. Enacted: 1994. Source on file.
- 50 Government of Nigeria. Compulsory, Free Universal Basic Education Act, 05-26. Enacted: 2004.
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/87623/99979/F606926563/NGA87623.pdf>.
- 51 Government of Nigeria, Edo State. A Law to Prohibit Trafficking in Persons and to Establish the Taskforce Against Human Trafficking and Other Matters Connected Therewith. Enacted: May 23, 2018. Source on file.
- 52 *The Guardian*. The Nigerian child and national policies. July 6, 2018.
<https://guardian.ng/opinion/the-nigerian-child-and-national-policies/>.
- 53 ILO Committee of Experts. Observation concerning Minimum Age Convention, 1973 (No. 138) - Nigeria (ratification: 2002). Published: 2018.
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0:NO:13100:P13100_COMMENT_ID:3340396:NO.
- 54 Government of Nigeria. Terrorism (Prevention) (Amendment) Act. Enacted: 2013.
<http://www.scumil.org/scumil/index.php/downloads/laws-and-regulations/item/11-terrorism-prevention-amendment-act-2013>.
- 55 Government of Nigeria, Federal Ministry of Labour and Productivity. Federal Ministry of Labour and Productivity. Accessed June 2, 2015. Source on file.

MODERATE ADVANCEMENT

- 56 Adebayo, Bukola. Nigeria launches app to fight human trafficking. August 1, 2018. <https://www.cnn.com/2018/07/31/africa/nigeria-launch-app-to-fight-trafficking-intl/index.html>.
- 57 U.S. Embassy- Abuja Official. Email communication to USDOL Official. June 27, 2019.
- 58 Government of Nigeria, Federal Ministry of Labour and Employment. Responses by Inspectorate Department to US Embassy Political Officer's Questionnaire. December 17, 2018. Source on file.
- 59 U.S. Embassy- Abuja. Reporting. February 13, 2018.
- 60 ILO. Towards Inclusive and Sustainable Development in Africa Through Decent Work. 2015. http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_409861.pdf.
- 61 CIA. The World Factbook. February 20, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 62 UN. World Economic Situation and Prospects. 2017 Statistical Annex. New York. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 63 U.S. Embassy- Abuja. Reporting. November 2, 2017.
- 64 National Agency for the Prohibition of Trafficking in Persons (NAPTIP). Data Analysis Report April-September 2017. 2017. <https://www.naptip.gov.ng/wp-content/uploads/2017/05/2017-April-September-data-analysis.pdf>.
- 65 National Agency for the Prohibition of Trafficking in Persons. NAPTIP Convictions: April 2018-February 2019. March 2019. Source on file.
- 66 National Agency for the Prohibition of Trafficking in Persons. NAPTIP Action Plan. 2019. Source on file.
- 67 Government of Nigeria. Integrating DDDR into the PCVE Policy and National Action Plan. 2017. Source on file.
- 68 Sani, Rabi. UNICEF, CJTF Sign Agreement To End Child Militia Recruitment In Borno. SUNDIATA Post. 2017. <http://sundiatapost.com/2017/09/16/unicef-cjtf-sign-agreement-to-end-child-militia-recruitment-in-borno/>.
- 69 Government of Nigeria. Policy Framework and National Action Plan for Preventing and Countering Violent Extremism. August 2017. Source on file.
- 70 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Nigeria (ratification: 2002). Published: 2016. Accessed November 10, 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3245224:YES.
- 71 ILO. Overview of Decent Work Country Program II (2015–2018) achievements in Nigeria specifically on Elimination of Child Labour. 2019. Source on file.
- 72 ILO. Measurement, Awareness-Raising, and Policy Engagement (MAP I6) Project on Child Labor and Forced Labor Project Description. 2016. <https://www.dol.gov/agencies/ilab/projects/MAP16>.
- 73 ILO. MAP I6 Technical Progress Report. October 2018. Source on file.
- 74 World Bank. Program Appraisal Document on a Proposed Credit in the amount of US\$611 million to the Federal Republic of Nigeria for a Better Education Service Delivery for All Operation. May 30, 2017. <http://documents.worldbank.org/curated/en/839251498183393835/pdf/BESDA-PAD-May-30-2017-06012017.pdf>.
- 75 World Bank. Project Appraisal Document on a Proposed Loan/Credit in the amount of US\$500 million to the Federal Republic of Nigeria for a National Social Safety Nets Project. May 16, 2016. <http://documents.worldbank.org/curated/en/813221467989481643/pdf/PAD1687-PAD-P151488-IDA-R2016-0107-1-Box394887B-OUO-9.pdf>.
- 76 World Bank. Project Appraisal Document on a Proposed Global Partnership for Education Grant in the amount of US\$100 million to the Federal Republic of Nigeria for a Nigeria Partnership for Education Project. May 8, 2015. <http://documents.worldbank.org/curated/en/506841476077511270/pdf/PAD634-PAD-P143842-Box396300B-PUBLIC-ACS.pdf>.
- 77 World Bank. National Social Safety Nets Project Implementation Status & Results Report. December 20, 2018. <http://documents.worldbank.org/curated/en/813221467989481643/pdf/PAD1687-PAD-P151488-IDA-R2016-0107-1-Box394887B-OUO-9.pdf>.
- 78 World Bank. Better Education Service Delivery for All Implementation Status & Results Report. December 11, 2018. <http://documents.worldbank.org/curated/en/459521546002918522/pdf/Dislosable-Version-of-the-ISR-Better-Education-Service-Delivery-for-All-P160430-Sequence-No-03.pdf>.
- 79 World Bank. Nigeria Partnership for Education Project Implementation Status & Results Report. January 7, 2019. <http://documents.worldbank.org/curated/en/845131546900485821/pdf/Dislosable-Version-of-the-ISR-Nigeria-Partnership-for-Education-Project-P143842-Sequence-No-07.pdf>.
- 80 UNDP. Nigeria Safe Schools Initiative Multi-Donor Trust Fund. Accessed 2015. <http://mptf.undp.org/factsheet/fund/NGA00>.
- 81 UN Security Council. Children and armed conflict, Report of the Secretary-General. June 5, 2015; (A/69/926 – S/2015/409). http://www.un.org/ga/search/view_doc.asp?symbol=A/69/926&Lang=E&Area=UNDOC.
- 82 Education in Emergencies Working Group Nigeria (EiEWGN). Safe Schools Declaration in Nigeria: Advocacy Brief. 2018. https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/25062018_nga_eiewg_ssd_advocacy_brief.pdf.
- 83 Catholic Relief Services. Sustainable Mechanisms for Improving Livelihoods and Household Empowerment (SMILE Program). 2015. Source on file.

Although research found no evidence that child labor exists in Niue, the government made a minimal advancement in efforts to eliminate the worst forms of child labor in 2018. The government implemented the United Nations Pacific Strategy, which includes economic development strategies, including eliminating child labor and the worst forms of child labor. However, the government has not established adequate legal protections to prevent the worst forms of child labor. The law does not criminally prohibit the use, procuring, or offering of a child for prostitution, the production of pornography, or pornographic performances, or the use of children for illicit activities, including for the production and trafficking of drugs. In addition, Niue has not established a minimum age for work and lacks a law that prohibits hazardous occupations and activities for children.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Niue.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Niue is self-governing in free association with New Zealand and is fully responsible for its internal affairs. (1) Since 1988, no treaty signed, ratified, accepted, approved, or acceded to by New Zealand extends to Niue, unless it was done expressly on behalf of Niue. (2) Niue has ratified one key international convention concerning child labor (Table 1).

Table 1. 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 2). However, gaps exist in Niue's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	No		
Prohibition of Child Trafficking	No		Articles 3 and 37 of the Terrorism Suppression and Transnational Crimes Act (3)
Prohibition of Commercial Sexual Exploitation of Children	No		
Prohibition of Using Children in Illicit Activities	No		

MINIMAL ADVANCEMENT

Table 2. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 33 of the Government of New Zealand's Defence Act (4)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Articles 2 and 24 of the Education Act (5)
Free Public Education	Yes		Article 19 of the Education Act (5)

* No conscription (6)

† No standing military (7)

Although Niue's Public Service Regulations prohibit the permanent employment of any person under age 18 in public service, Niue has not established a minimum age of work in the private sector. (8,9) Niue has not determined the types of work that are hazardous for children. Niue also does not prohibit slavery or slavery-like practices such as forced labor. (8) Niue's trafficking provision does not clearly criminalize domestic trafficking or trafficking of children in the absence of force, fraud, or coercion. (3) Niue does not criminalize the use, procurement, or offering of children for prostitution, pornography, or pornographic performances. Niue does not criminalize the use of children in illicit activities, including in the production and trafficking of drugs. (8) There are no armed forces in Niue. New Zealand is responsible for the defense of the territory at its request and consultation. (7)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Niue Police Department	Enforces all laws, including those related to child labor, on behalf of the Government of Niue. (10,11)
Department of Justice	Investigates crimes, including cases involving the worst forms of child labor. (10)

Labor Law Enforcement

As there is no evidence of a problem, there appears to be no need for labor law enforcement actions to address child labor.

Criminal Law Enforcement

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor. However, the Government of Niue has established mechanisms to coordinate efforts to prevent child labor (Table 4).

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Coordinating Committee	Coordinates the implementation of the UN CRC, monitoring and implementing child protection policies at the national level. (2)

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor. However, the Government of Niue has established a policy related to child labor (Table 5).

Table 5. Key Policies Related to Child Labor

Policy	Description
United Nations Pacific Strategy (2018–2022)†	A multinational strategic framework program consisting of 14 South Pacific nations to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (12)

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in Niue (Table 6).

Table 6. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a minimum age for work of at least age 15 that equals the compulsory age of education.	2013 – 2018
	Establish age 18 as the minimum age for hazardous work and determine the types of hazardous work prohibited for children under age 18 in consultation with employers' and workers' organizations.	2013 – 2018
	Ensure that laws criminally prohibit trafficking of children domestically and internationally for commercial sexual exploitation and forced labor, and do not require the use of force to be established for the crime of trafficking.	2016 – 2018
	Ensure that laws criminally prohibit the use, procuring, and offering of a child for prostitution, the production of pornography, and pornographic performances.	2016 – 2018
	Ensure that laws criminally prohibit the use of children in illicit activities, including the production and trafficking of drugs.	2013 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2018
	Ensure that laws criminally prohibit forced labor, including debt bondage, the sale and trafficking of children, and slavery.	2016 – 2018

REFERENCES

- Government of Niue. Niue Constitution Act 1974. Enacted: 1974. <http://www.legislation.govt.nz/act/public/1974/0042/latest/whole.html#DLM413418>.
- U.S. Embassy-Wellington. Reporting. January 10, 2019.
- Government of Niue. Terrorism Suppression and Transnational Crimes Act 2006. Enacted: 2006. http://www.pacii.org/nu/legis/consol_act/tsatca2006529/.
- Government of New Zealand. Defence Act of 1990, No. 28 of 1990. Enacted: April 1, 1990. <http://www.legislation.govt.nz/act/public/1990/0028/latest/DLM204973.html>.
- Government of Niue. Education Act 1989. Enacted: 1989. Source on file.
- Government of New Zealand. Declaration to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. November 12, 2001. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx>.
- CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- U.S. Embassy-Wellington. Reporting. January 12, 2017.
- Government of Niue. Public Service Regulation 2004. No. 4 of 2004. Enacted: 2004. http://www.pacii.org/nu/legis/consol_sub/psr2004261/.
- U.S. Embassy-Wellington. Reporting. January 15, 2016.
- U.S. Embassy-Wellington. Email communication to USDOL official. July 1, 2019.
- UN. United Nations Pacific Strategy 2018-2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017 https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf.

Although research found no evidence that child labor exists on Norfolk Island, the government made no advancement in efforts to prevent the worst forms of child labor in 2018. The legal framework does not have a minimum age for work for children. In addition, the law does not fully protect children from commercial sexual exploitation or hazardous work.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Norfolk Island. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Norfolk Island is included as part of the territory of the Australian Commonwealth, which provides for its defense. (2-5) All legislation of the Federal Parliament applies, unless specifically excluded. (4) Because Australia has ratified most key international conventions concerning child labor, the following conventions apply to Norfolk Island (Table 1).

Table 1. 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 Norfolk Island Employment Act 1988 and the Norfolk Island Criminal Code remain in force. (1,5-7) The government has established laws and regulations related to child labor (Table 2). However, gaps exist in Norfolk Island's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No		Article 24 of the Norfolk Island Employment Act (8)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Sections 270.6–270.7 and 270.7c of the Commonwealth Criminal Code Act of Australia (9)
Prohibition of Child Trafficking	No		Sections 271.1A, 271.4, and 271.7 of the Commonwealth Criminal Code Act of Australia (9)
Prohibition of Commercial Sexual Exploitation of Children	No		Section 93N of the Criminal Law Amendment Act; Articles 122–124 of the Norfolk Island Criminal Code 2007 (10,11); and Sections 271.4 and 271.7 of the Commonwealth Criminal Code of Australia (9)
Prohibition of Using Children in Illicit Activities	No		Articles 303 and 305 of the Norfolk Island Criminal Code 2007 (11); and Sections 309-310 of the Commonwealth Criminal Code of Australia (9)

Norfolk Island

NO ADVANCEMENT

Table 2. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	18	Canberra Act 2600 (12)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Canberra Act 2600 (12)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 268.68 and 268.88 of the Commonwealth Criminal Code Act of Australia (10)
Compulsory Education Age	Yes	17	Section 21(B) of the New South Wales Education Act (5,13,14)
Free Public Education	Yes		Section 31 of the New South Wales Education Act (13)

* No conscription (12)

Norfolk Island does not have a minimum age for work. Under the Norfolk Island Employment Act, children younger than age 15 may begin working with certain limitations. (8,15) This is not in compliance with international standards because it allows for the employment of children under the age of 15. Further, 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. (16) Laws related to child trafficking are not sufficient as the recruitment, harboring, transfer, and receipt (domestically) of children for forced labor and commercial sexual exploitation are not clearly prohibited. (9,10) Laws related to illicit activities do not criminalize the use, procuring, and offering of children for the production of drugs. (9,11)

In addition, the government is not in compliance with international standards because it does not have a minimum age for hazardous work and has not identified hazardous occupations prohibited for children. The prohibitions on commercial sexual exploitation do not protect all children under 18 and do not criminalize using a child for prostitution. (11)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

Although there is no evidence of a problem, the Government of Australia has established institutional mechanisms for the enforcement of laws and regulations on child labor, which apply to Norfolk Island. Norfolk Island also has its own institutional mechanisms to enforce labor laws and regulations on child labor (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Norfolk Island Labor Inspectors	Inspect places of employment for violations. Authorized to issue stop-work orders when violations are found, including child labor violations. (8)
Child Welfare Officers	Enforces laws prohibiting commercial sexual exploitation of children. Provides outreach and establishes community programs to raise awareness about commercial sexual exploitation of children. (17)
Australian Federal Police	Enforces criminal laws related to the worst forms of child labor. (18) In the case of the Child Protection Operations Team, coordinates and investigates online and multi-jurisdictional online child sex exploitation issues, including child pornography. (19) In the case of Human Trafficking Teams, investigates human trafficking for the purpose of transnational sexual and labor exploitation. (20)

Labor Law Enforcement

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor.

Criminal Law Enforcement

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

Although there is no evidence of a problem, the Government of Australia has established mechanisms to coordinate government efforts on child labor (Table 4).

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Interdepartmental Committee on Human Trafficking	Chaired by the Attorney General's Department, deals with child labor issues, including its worst forms, from a human trafficking perspective. Consists of 10 government agencies, including the Australian Federal Police, Department of Employment, and Department of Foreign Affairs. (1,20) This Committee was active in 2018, but information regarding its work was unavailable for inclusion in this report. (21)

V. GOVERNMENT POLICIES ON CHILD LABOR

Although there is no evidence of a problem, the Government of Australia has established policies related to child labor (Table 5).

Table 5. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Human Trafficking and Slavery 2015–2019	Outlines cooperation and participation by government and non-government entities to combat human trafficking and slavery, including commercial sexual exploitation of children. (1,22) While this policy was in effect in 2018, research was unable to determine whether activities were undertaken to implement it during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in Norfolk Island (Table 6).

Table 6. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the minimum age for work is in compliance with international standards, including by ensuring that it is not lower than the compulsory age for education.	2016 – 2018
	Establish laws to prohibit children under age 18 from engaging in hazardous work and identify hazardous occupations and activities prohibited for children in consultation with employers' and workers' organizations.	2010 – 2018
	Ensure that child trafficking, including the recruitment, harboring, transfer, and receipt of children for forced labor and commercial sexual exploitation, is clearly criminalized both domestically and internationally.	2018
	Ensure that the law prohibits using, offering, and procuring a child under age 18 for commercial sexual exploitation, including prostitution.	2017 – 2018
	Ensure that laws related to illicit activities criminalize the use of children, including in the production of drugs.	2016 – 2018

REFERENCES

- U.S. Embassy- Canberra. Reporting. March 8, 2019.
- U.S. Embassy- Canberra. Reporting. January 11, 2016.
- CIA. The World Factbook. Accessed March 22, 2019 <https://www.cia.gov/library/publications/the-world-factbook/geos/nf.html>.
- Government of Australia. Legal Risk in International Transaction: Section 10: External Territories. Canberra. 2012. <http://www.alrc.gov.au/publications/alrc-80-legal-risk-international-transactions/10-external-territories>.
- Government of Australia. Norfolk Island Legislation Amendment Act 2015, No. 59. Enacted: March 24, 2016. <https://www.legislation.gov.au/Details/C2016C00568>.
- Government of New South Wales. Norfolk Island Administration Act. Enacted: 2016. http://www.austlii.edu.au/au/legis/nsw/num_act/niaa2016n25337.pdf.
- Government of Australia. The Fair Work System on Norfolk Island. June 2018. <https://www.fairwork.gov.au/ArticleDocuments/723/the-fair-work-system-on-norfolk-island.pdf.aspx>.

Norfolk Island

NO ADVANCEMENT

- 8 Government of Norfolk Island. Norfolk Island Employment Act 1988. Enacted: 1988.
<https://www.legislation.gov.au/Details/C2017Q00002>.
- 9 Government of Australia. The Criminal Code Act 1995. Enacted: 1995.
http://www.austlii.edu.au/au/legis/cth/consol_act/cca1995115/schl.html.
- 10 Government of Norfolk Island. Criminal Law Amendment Act 1993, Amending the Criminal Law Act 1960. Enacted: September 27, 1993. Source on file.
- 11 Government of Norfolk Island. Norfolk Island Criminal Code. Enacted: 2007.
<https://www.legislation.gov.au/Details/C2015Q00059>.
- 12 Government of Australia. Canberra Act 2600. Enacted: April 22, 2008. Source on file.
- 13 Government of Australia. Education Act. Enacted: 1990.
<http://www.legislation.nsw.gov.au/#/view/act/1990/8/whole>.
- 14 Government of Australia. Norfolk Island Legislation Amendment Bill. Enacted: 2015.
http://parlinfo.aph.gov.au/parlInfo/download/legislation/billsdgs/3825871/upload_binary/3825871.pdf;fileType=application/pdf.
- 15 U.S. Embassy- Canberra. Reporting. January 13, 2015.
- 16 ILO. ILO Conventions and Recommendations on child labour.
<http://www.ilo.org/ipecc/facts/ILOconventionsonchildlabour/lang--en/index/htm>.
- 17 Government of Norfolk Island. Child Welfare Act 2009. September 29, 2018.
<https://www.legislation.gov.au/Details/C2018Q00071/78b9a480-f9e4-4a14-933c-78ee0c579026>.
- 18 Government of Australia. Australian Federal Police: Child Protection. Website, Accessed March 22, 2019.
<https://www.afp.gov.au/what-we-do/crime-types/child-protection>.
- 19 Australian Federal Police (AFP). AFP Child Protection Operations- Online Child Sex Exploitation. Website, Accessed March 22, 2019.
<https://www.afp.gov.au/what-we-do/crime-types/child-protection>.
- 20 Government of Australia. Parliamentary Joint Committee on Law Enforcement: An inquiry into human trafficking, slavery, and slavery-like practices. July 2017.
https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Law_Enforcement/Humantrafficking45/~/media/Committees/le_ctte/Humantrafficking45/report.pdf.
- 21 Government of Australia. Department of Home Affairs: Criminal Justice. Website, Accessed June 12, 2019.
<https://www.homeaffairs.gov.au/about-us/our-portfolios/criminal-justice/people-smuggling-human-trafficking/human-trafficking>.
- 22 Government of Australia. National Action Plan to Combat Human Trafficking and Slavery 2015-2019. 2014.
<https://archive.homeaffairs.gov.au/crime/Documents/trafficking-national-action-plan-combat-human-trafficking-slavery-2015-19.pdf>.

In 2018, North Macedonia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government amended the Labor Relations Act to prohibit children under the age of 15 or those who have not completed compulsory education from working, except under limited circumstances. Additionally, funding was sufficient for both labor and criminal law enforcement to combat child labor, and the National Coordination Body for Protection of Children from Abuse and Neglect was reconstituted. However, children in North Macedonia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation. The law's minimum age protections do not apply to children who are self-employed or working outside formal employment relationships. In addition, labor inspectors are unevenly distributed across the country, causing some businesses to be inspected more than others.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in North Macedonia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation. (1,2-7,8) Table 1 provides key indicators on children's work and education in North Macedonia. 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	18.3 (44,161)
Attending School (%)	5 to 14	86.8
Combining Work and School (%)	7 to 14	19.5
Primary Completion Rate (%)		91.3

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2019. (9)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2011. (10)

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	Farming, activities unknown (1,3)
Services	Street work, including vending small items, cleaning vehicle windshields, scavenging, and begging (4-6,11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,8,12)
	Forced begging, sometimes as a result of human trafficking (1,8,12)
	Domestic work as a result of human trafficking (2,7,13-15)
	Forced labor as wait staff and dancers in restaurants, bars, and nightclubs (16,2,15)

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

Most children involved in child labor in North Macedonia engage in street work, including vending small items, cleaning vehicle windshields, and begging. (1,16,5,6) Some children engage in begging to help support their families, while others are forced to beg. The majority of children involved in street work are of the Roma, Balkan Egyptian, and Ashkali ethnicities. (1,3,5-8) Although North Macedonia has data on child labor from 2011, it does not include information on children's work by sector. (1,6)

North Macedonia

MODERATE ADVANCEMENT

The majority of victims of child trafficking in North Macedonia are girls, between the ages of 12 to 18, who have been trafficked domestically for commercial sexual exploitation and forced labor in restaurants, bars, and nightclubs. (1,2,8,13,17) Roma girls, especially, are also trafficked for forced marriages in which they are subject to sexual and labor exploitation. (1,2,8,13,14,18)

Unaccompanied children from Afghanistan, Iraq, Iran, Syria, and other states continued to transit through the country, either legally or illegally, and were vulnerable to trafficking for labor and commercial sexual exploitation. (8,12,19,20) In 2018, the IOM identified 3,132 migrants transiting the country illegally, of which 20 percent were children and 8 percent unaccompanied. (2,20)

Increased government funding for textbooks and programs to eliminate barriers to education has increased school attendance rates among Roma children. (21-23) However, the government was unable to fully meet Roma children's need for teaching in Romani due to a shortage of qualified teachers, and the number of Romani children who complete school is still low. (17,23,24) Birth certification is sometimes required for attending school in North Macedonia, and some Roma children had difficulty accessing education due to a lack of birth registration and identity cards. (3,25,24) Classes for children with intellectual disabilities have disproportionately high numbers of Roma children due to discrimination, based in part on faulty screening procedures for assessing intellectual disabilities. (17,21)

II. LEGAL FRAMEWORK FOR CHILD LABOR

North Macedonia 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 North Macedonia's legal framework to adequately protect children from child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 42 of the Constitution; Section 18 of the Labor Relations Act (26,27)
Minimum Age for Hazardous Work	Yes	18	Section 18 of the Labor Relations Act (27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Rulebook on the Minimum Occupational Safety and Health Requirements for Young Workers (28)
Prohibition of Forced Labor	Yes		Article 11 of the Constitution; Articles 418, 418-c, and 418-d of the Criminal Code (26,29)
Prohibition of Child Trafficking	Yes		Articles 418-c and 418-d of the Criminal Code (29)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 190–193b of the Criminal Code (29)
Prohibition of Using Children in Illicit Activities	Yes		Article 12 of the Law on Child Protection (30)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 62 of the Law on Defense (31)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 62 of the Law on Defense (31)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 122, 322-a, and 404 of the Criminal Code (29)
Compulsory Education Age	Yes	16	Articles 4, 5, 47, and 172 of the Law on Primary Education; Article 3 of the Law on Secondary Education (32,33)
Free Public Education	Yes		Article 44 of the Constitution (26)

* No conscription (31)

In 2018, Parliament expanded protections for children in the Labor Relations Act. Now children under age 15 or children who have not completed compulsory education cannot work, except in activities that are legal, do not harm their education, health and safety, and for a specific number of hours. (27) During the reporting period, the government also passed amendments to the Law on Social Protection which, during 2018 and 2019, aims to facilitate access to allowances for children, including children with disabilities, establish preschools at the municipal levels, and promote inclusive education. (34-36)

The Criminal Code was amended to ensure children who committed crimes under duress while being trafficked will not be punished for such acts. (2,29,37)

However, the minimum age for work is not in compliance with international standards because the law's minimum age protections do not apply to children who are self-employed or working outside formal employment relationships. (5,27) In addition, because 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.

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 Social Policy (MLSP) 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 Social Policy (MLSP)	Works with the police to seek out street children in need of assistance and tracks cases of forced child labor through the Department of Social Inclusion. (38,39) Registers complaints about hazardous child labor and investigates children's participation in street work through 30 Centers for Social Work (CSWs) and the Ombudsman's Office, which includes a special unit for the investigation of violations of child rights and refers complaints to the State Labor Inspectorate. (3,5,11,40) When child labor is detected, the child is removed, put under the care of a CSW, and interviewed by a social worker. The child is then either returned to their family or taken to a safe house. (11) CSWs serve to counsel, educate, and assist victims of trafficking in persons. (3)
State Labor Inspectorate (SLI)	Enforces child labor laws and transmits cases of suspected criminal law violations to the Public Prosecutor. Inspectors conduct a minimum of 60 target and compliant-based cases per month. (39,40)

North Macedonia

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Ministry of Interior (MOI)	Enforces laws related to hazardous child labor. Investigates cases of child trafficking, commercial sexual exploitation, and the use of children in illicit activities through its special police unit for organized crime, corruption, and human trafficking. (40) Mobile teams continued their operations throughout 2018 in Skopje, Kumanovo, Tetovo, Bitola, and Gevgelija to identify street children and remove them from hazardous situations. (1,17,19,41) In April 2018, an anti-human trafficking task force, established by the National Commission for Trafficking in Persons and Illegal Migration, was established and operational with 53 members. (2)
Public Prosecutor's Office	Prosecutes criminal law violations, including those involving the worst forms of child labor. (42) Has an Organized Crime and Corruption Unit with four prosecutors dedicated to cases of child abuse and the worst forms of child labor. The Skopje Basic Prosecutor's Office has eight prosecutors for child abuse cases. (15,43)
Office of the National Referral Mechanism	Refers potential cases of child victims of human trafficking to law enforcement authorities for investigation and refers potential victims to social services. (38,43)

Labor Law Enforcement

In 2018, labor law enforcement agencies in North Macedonia took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLSP that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (3)	\$2,000,000 (1)
Number of Labor Inspectors	74 (3)	54 (1)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (1)
Initial Training for New Labor Inspectors	Yes (3)	Yes (1)
Training on New Laws Related to Child Labor	Yes (3)	Yes (1)
Refresher Courses Provided	Yes (3)	Yes (1)
Number of Labor Inspections Conducted	16,459 (41)	11,324 (1)
Number Conducted at Worksites	16,459 (41)	11,324 (1)
Number of Child Labor Violations Found	0 (3)	0 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	0 (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (3)	0 (1)
Routine Inspections Conducted	Yes (3)	Yes (1)
Routine Inspections Targeted	Yes (3)	Yes (1)
Unannounced Inspections Permitted	Yes (3)	Yes (1)
Unannounced Inspections Conducted	Yes (3)	Yes (1)
Complaint Mechanism Exists	Yes (3)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (1)

North Macedonia's State Labor Inspectorate (SLI) is responsible for enforcing all labor laws, including laws on child labor, in all sectors of the formal economy and can assess fines at any point of the inspection. (3) While the SLI does not have a specific strategy for conducting inspections, unannounced inspections in all sectors are permitted, including on legally-registered private farms. (6,44) Inspectors can also inspect private homes and farms with a valid warrant. (3)

All labor inspectors received trainings on labor laws, including on child labor. The Council of Europe trained 44 labor inspectors, Ministry of Interior officials, mobile teams, and social workers on building the capacity for identification, assistance, and referrals of victims of human trafficking. (2,17) In addition, the National Commission for Trafficking in Persons and Illegal Migration (National Trafficking in Persons Commission) trained labor inspectors and social workers from 30 Centers for Social Work (CSWs) on human trafficking for the purposes of labor exploitation. (2,17)

During the reporting period, the number of labor inspectors decreased from 74 to 54 due to a large number of retirements. (1) While funding was considered sufficient for inspectors to perform their regular duties, government officials reported that the number of labor inspectors is insufficient to cover all of the formal businesses in the country, and some businesses are inspected more often than others because of the uneven distribution of inspectors throughout the country. (1) In addition, sources reported that labor inspectors did not consistently identify victims of human trafficking properly. (2,17)

As in previous years, the MLSP lacks a central database; however, inspection results are disseminated throughout relevant departments within the MLSP. (17)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in North Macedonia 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 investigation planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (3)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (22)	Yes (1)
Refresher Courses Provided	Yes (3)	Yes (17)
Number of Investigations	Unknown (22)	7 (2)
Number of Violations Found	2 (3)	6 (1)
Number of Prosecutions Initiated	3 (12)	Unknown (1)
Number of Convictions	0 (3)	2 (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	0 (23)	14 (23)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (1)

In North Macedonia, legal requirements mandate that public prosecutors receive a 24-month training on child labor, including on forced child labor, child trafficking, the recruitment and use of child soldiers, and the use of children in illicit activities. (17) Police investigators receive trainings yearly, when new legislation is passed, and refresher trainings. (1) During the reporting period, judges and prosecutors received trainings on various forms of human trafficking, including for labor exploitation. In addition, the Organization for Security and Co-operation in Europe provided a training on human trafficking guidelines for police officers, prosecutors, and judges. (17) Police officers also received specialized trainings on human trafficking along migrant routes and identification of vulnerable populations. (2)

Investigators and prosecutors worked together to convict four separate individuals in two different cases in 2018 for trafficking of children for sexual and labor exploitation. (2)

In 2018, criminal investigators reported sufficient resources to adequately perform their investigations. (1) However, sources reported that border agents were unable to properly identify victims of human trafficking and proper coordination was lacking at the local municipal levels. (2,17) In addition, referral of cases between the National Referral Mechanism, CSWs, and police lacked coordination. (2)

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 adequate coordination of efforts to address child labor, including efficacy in accomplishing mandates.

North Macedonia

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
National Coordination Body for Protection of Children from Abuse and Neglect	Oversees implementation of the National Action Plan for Prevention and Countering Abuse and Neglect of Children. Led by MLSP. (1) Comprises representatives from other ministries, civil society, WHO, and UNICEF country offices. (1,3,45) Reconstituted and met in 2018 with an increased focus on child labor abuse and coordination among government agencies. Completed a report. (1,17,23)
National Commission for Trafficking in Persons and Illegal Migration (National Trafficking in Persons Commission)	Coordinates the work of all institutions involved in combating human trafficking. Led by the National Anti-Trafficking in Persons Coordinator with 14 representatives from 9 governmental institutions under the MOI. (2,3,40) Includes the Sub-Committee for the Fight Against Trafficking in Children, which serves as an advisory body to the National Trafficking in Persons Commission on all forms of child trafficking. (2,7,40,46)

In 2018, the National Commission for the Protection of the Rights of Children was disbanded due to inactivity. (1,17)

In 2018, the National Trafficking in Persons Commission held quarterly meetings and provided guidance to local anti-human trafficking commissions to implement their local action plans, among other activities. However, sources reported that the local commissions needed to build their capacity to adequately combat human trafficking. (2)

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 implementing a new national child labor action plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan against Trafficking in Persons and Illegal Migration (2017–2020)	Focuses on preventing human trafficking by reducing the vulnerability of at-risk populations, improves identification of victims, and increases efforts to combat human trafficking for forced labor, including forced child begging. (3,12,47) Active in 2018. (1,17)
National Strategy for the Fight Against Poverty and Social Exclusion (2010–2020)	Addresses social protection, social inclusion, health, education, and employment of children. (40) Aims to increase birth registration for Roma and other minorities, expand patrol services to identify and support street children, and improve the provision of social services for children involved in street work and begging. Implemented by the MLSP. (40,48)
National Action Plan for Education (2016–2020)†	Aims to expand inclusive education and improve education for the Roma community. Seeks to increase the number of Roma students in preschools and elementary schools and decrease the number of Roma students in primary schools for children with special needs. (49) Includes a Strategy for 2018–2025. (17,50) In 2018, enrolled approximately 510 Roma children in schools and introduced a system to monitor the development of children with disabilities. (51-53)

† Policy was approved during the reporting period.

During the reporting period, the government added funding specifications to the goals in the National Strategy and National Action Plan against Trafficking in Persons and Illegal Migration (2017–2020). (1) The funding allocations will help hold the responsible ministries accountable for combating child trafficking. (1) The government also passed the National Action Plan for Coordination of Children from Abuse and Neglect (2019-2021) in 2019. (23)

Research was unable to determine whether activities were undertaken to implement the National Strategy for the Fight Against Poverty and Social Exclusion (2010–2020). (17)

Although the Government of North Macedonia has adopted policies aimed to combat child trafficking, research found no evidence of a policy on other worst forms of child labor. The National Coordination of Children from Abuse and Neglect is preparing a 5-year strategy to protect children from violence. (23)

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 funding and adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
MLSP Day Centers, Shelter, and Social Worker Trainings†	Operates 2 day centers that can accommodate 60 children and partially funds 2 other centers, operated by NGOs, that can accommodate 80 children. (3,11,54) Supports a transit center for street children. (54) Runs an ongoing program to instruct foster families on how to accommodate child trafficking victims. (11) In 2018, increased the number of foster families. (1) Provides counseling, education, and assistance with registration documents to street children and child human trafficking victims at 30 CSW facilities. (14,40)
“Red Button” Hotline	MOI-operated website application to report child abuse, human trafficking, hate crimes, or violence. Created to improve identification and timely referral of human trafficking cases, especially among migrants. (2) Active in 2018. (17)
Center for Victims of Human Trafficking and Transit Center for Foreign Victims of Trafficking†	MLSP funds and NGO Open Gate/La Strada operates the Center for Victims of Human Trafficking shelter that provides housing, basic services, and reintegration services to victims. (17) The MOI supports the Transit Center for Foreign Victims of Trafficking, operated by NGOs. (1,3,55) In 2018, MLSP increased funding to the Center for Victims of Human Trafficking and 31 individuals were provided with assistance. (17)
UNICEF Projects	UNICEF partners with the government and NGOs to provide projects for child protection, detection and referral of child victims of violence, and educational integration of vulnerable children, including Roma and migrant children. (17) These projects include the Program for the Protection of Children Against Violence (2016–2020), the UNICEF Country Program (2016–2020), and the Home for Every Child Program. (11,17,56,57) Active in 2018. (17)
Inclusion of Roma Children in Preschool Education†	MLSP project implemented in cooperation with the Roma Education Fund and 19 government units. Part of the 2014–2020 Roma Strategy. (41,58) Aims to support the integration of Roma children by increasing the number of Roma children in preschool. (3,11) MLSP, MOI, and Ministry of Justice are all part of the project work plan. (59) Held workshops for teachers in 2018. (1,23)
Educational Seminars for Roma Students and Teachers	Provides educational seminars to Roma students, teachers, and NGOs on the associated risks of forced marriages between minors. (1) The program continued its activities in 2018. (1)

† Program is funded by the Government of North Macedonia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (1,2,60-62)

Programs funded by donors typically were not continued by the government after funding expired. (11,7,19,23) Also, day centers and other programs have not reduced child begging or the number of children on the streets, especially among Roma children, suggesting that existing programs were insufficient in combating child labor. (3,11,19,22,23,59)

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 North Macedonia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that labor law protections apply to all children, including self-employed children and children working outside formal employment relationships.	2015 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Ensure that labor inspections are conducted equally throughout the country to promote compliance with child labor laws in all geographical regions through a specific strategy.	2017 – 2018
	Provide labor inspectors with an electronic system to record and share data on inspections with the entity receiving the citation, and publish the information.	2009 – 2018
	Ensure law enforcement agencies proactively identify child trafficking victims and border agents coordinate to properly identify victims of human trafficking.	2015 – 2018
	Publish information on the total number of prosecutions initiated for criminal law enforcement.	2018

North Macedonia

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that police, social workers from the Centers for Social Work, and National Referral Mechanism coordinate properly when referring cases of child labor.	2018
	Build the capacity of local commissions to adequately combat human trafficking.	2018
Government Policies	Ensure that the National Strategy for the Fight Against Poverty and Social Exclusion is active.	2018
	Create and implement a National Action Plan on Child Labor.	2017 – 2018
Social Programs	Conduct research to determine the activities carried out by children engaged in child labor, including those in street work and those subjected to commercial sexual exploitation	2013 – 2018
	Reduce barriers to education by increasing the number of teachers who can provide education in the Romani language and eliminate the practice of placing Romani children in schools for children with intellectual disabilities based on ethnicity. Make additional efforts to register Roma children at birth.	2014 – 2018
	Increase funding dedicated to combating child labor, and ensure that child beggars are taken off the streets permanently.	2015 – 2018

REFERENCES

- U.S. Embassy- Skopje. Reporting. January 15, 2019.
- U.S. Embassy- Skopje. Reporting. March 1, 2019.
- U.S. Embassy- Skopje. Reporting. January 12, 2018.
- Marusic, Sinisa Jakov. North Macedonia to Put Child Beggars Into Care. *balkaninsight.com*, March 7, 2014. <http://www.balkaninsight.com/en/article/macedonia-steps-up-protection-of-children>.
- U.S. Embassy- Skopje. Reporting. January 22, 2016.
- Vathi, Zana. Research Report: Children and Adolescents Engaged in Street Work in the Former Yugoslav Republic of Macedonia: Mobilities, Vulnerabilities, Resiliencies. Budapest: Mario Project, 2015. <http://terredeshommes.hu/library/children-and-adolescents-engaged-in-street-work-in-the-former-yugoslav-republic-of-macedonia-mobilities-vulnerabilities-resiliencies/7228>.
- U.S. Embassy- Skopje. Reporting. February 12, 2016.
- U.S. Department of State. Trafficking in Persons Report- 2019: North Macedonia. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/north-macedonia/>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4, 2011. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Skopje. Reporting. January 13, 2017.
- U.S. Embassy- Skopje. Reporting. February 18, 2018.
- Group of Experts on Action Against Trafficking in Human Beings. Report Concerning the Implementation of the Council of Europe Convention on Action Against Trafficking in Human Beings by "the former Yugoslav Republic of Macedonia." Strasbourg: Council of Europe, June 17, 2014. <https://rm.coe.int/1680631ee1>.
- U.S. Embassy- Skopje. Reporting. February 24, 2015.
- U.S. Embassy- Skopje official. Email communication to USDOL official. February 2, 2016.
- U.S. Department of State. Trafficking in Persons Report- 2018: North Macedonia June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/macedonia/>.
- U.S. Embassy- Skopje official. Email communication to USDOL official. March 19, 2019.
- UN Committee on the Elimination of Discrimination against Women. Periodic Reports of States Parties due in 2017: The former Yugoslav Republic of Macedonia, Prepared by Government of the former Yugoslav Republic of Macedonia, Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women. June 13, 2017. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/MKD/6&Lang=en.
- U.S. Embassy- Skopje. Reporting. February 10, 2017.
- IOM. New Data on Population Movements in the Western Balkans. February 21, 2019. <https://rovienna.iom.int/story/new-data-population-movements-western-balkans>.
- U.S. Department of State. Country Reports on Human Rights Practices- 2016: North Macedonia. Washington, DC. March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/macedonia/>.
- U.S. Embassy- Skopje official. Email communication to USDOL official. May 9, 2018.
- U.S. Embassy- Skopje official. Email communication to USDOL official. July 9, 2019.
- U.S. Department of State. Country Reports on Human Rights Practices- 2018: North Macedonia. Washington, DC. March 13, 2019. <https://www.state.gov/wp-content/uploads/2019/03/NORTH-MACEDONIA-2018-HUMAN-RIGHTS-REPORT.pdf>.
- Coordinamento Delle Organizzazioni per Il Servizio Volontario. Inclusion of dropout and improvement of the equality of education of Roma children in primary school. 2015. <http://www.cosv.org/inclusion-of-dropout-and-improvement-of-the-quality-of-education-of-roma-children-in-primary-school-2/?lang=en>.
- Government of North Macedonia. Constitution of the Republic of Macedonia. Enacted: September 8, 1991. <https://www.sobranie.mk/content/Odluki/USTAV/UstavSRSM.pdf>.
- Government of North Macedonia. Labour Relations Act, No. 167/15. Enacted: 1993. http://www.mtsp.gov.mk/content/pdf/zakonil/ZRO_Precisten_74-15.pdf.
- Government of North Macedonia. Rulebook on the minimum occupational safety and health requirements for young workers. Enacted: October 15, 2012. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93806/109806/F-526659420/MKD-93806.pdf>.
- Government of North Macedonia. Republic of Macedonia Criminal Code. Enacted: November 1, 1996. <http://www.pravdiko.mk/wp-content/uploads/2013/11/Krivichen-zakonik-integralen-prechisten-tekst.pdf>.

- 30 Government of North Macedonia. Child Protection Law. Enacted: July 2016. Source on file.
- 31 Government of North Macedonia. Law on Defense. Enacted: 2001. <http://morm.gov.mk/wp-content/uploads/2017/02/Zakon-za-odbrana-Precisten-tekst-fev-2017.pdf>.
- 32 Government of North Macedonia. Law on Primary Education, No. 103/2008. Enacted: 2008. http://www.sonk.org.mk/documents/Zakon_za_osnovno_obrazovanie.pdf.
- 33 Government of North Macedonia. Law on Secondary Education, No. 44/1995. Enacted: 1995. http://www.sonk.org.mk/documents/Sredno_obrazovanie_95.pdf.
- 34 Government of North Macedonia. Program for Child Protection for 2018. Skopje. January 22, 2018. http://www.mtsp.gov.mk/content/pdf/dokumenti/2018/Detska_2018.pdf.
- 35 Government of North Macedonia. Program for Child Protection for 2019. Skopje. December 28, 2018. <http://www.slv.esnik.com.mk/Issues/14235fb4c7b544beab9a115ee8ebc81b.pdf>.
- 36 Nova Makedonija. Adopted a package of laws on social reforms. Nova Makedonija. December 20, 2018. <https://www.novamakedonija.com.mk/makedonija/усвоен-пакетот-за-закони-за-социјалната>.
- 37 Government of North Macedonia. Law for Supplementing and Changing the Criminal Code. Skopje. December 28, 2018. <https://www.pravdiko.mk/wp-content/uploads/2013/11/Zakon-za-izmenuvane-i-dopolnuvane-31-12-2018.pdf>.
- 38 U.S. Embassy- Skopje. Reporting. February 18, 2014.
- 39 U.S. Embassy- Skopje official. Email communication to USDOL official. March 9, 2015.
- 40 U.S. Embassy- Skopje. Reporting. January 15, 2015.
- 41 U.S. Embassy- Skopje official. Email communication to USDOL official. February 2, 2018.
- 42 ILO–LABADMIN. Labour Inspection Sanctions: National Labour Inspection Systems. Geneva. 2013. http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---lab_admin/documents/publication/wcms_213143.pdf.
- 43 U.S. Embassy- Skopje. Reporting. February 5, 2014.
- 44 Government of North Macedonia. 2018–2020 Strategic Plan for the State Labor Inspectorate. Skopje: Ministry of Labor and Social Policy. 2018. http://www.mtsp.gov.mk/content/word/dokumenti/dokumenti_2018/strateski_2018_2020.doc.
- 45 Child Rights International Network. North Macedonia: Children's Rights Reference in the Universal Periodic Review. CRIN.org. January 30, 2014. <https://www.crin.org/en/library/publications/macedonia-childrens-rights-references-universal-periodic-review-0>.
- 46 U.S. Embassy- Skopje official. Email communication to USDOL official. April 14, 2015.
- 47 Government of North Macedonia. 2017–2020 National Strategy for Combating Trafficking in Human Beings and Illegal Migration in the Republic of Macedonia. 2017. <http://nacionalnakomisija.gov.mk/wp-content/uploads/2016/12/Nacionalna-strategija-i-akciski-plan-za-borba-protiv-trgovija-so-lugje.pdf>.
- 48 Government of North Macedonia. Strategy for the Fight Against Poverty and Social Inclusion. 2013. http://mtsp.gov.mk/WBStorage/Files/revidirana_str_siromastija_eng.docx.
- 49 Government of North Macedonia. National Action Plan for Education 2016–2020. Minister of Labor and Social Policy, April 2016. Source on file.
- 50 Government of North Macedonia. Education Strategy and Action Plan for 2018–2025. Skopje. 2018. <http://mrk.mk/wp-content/uploads/2018/10/Strategija-za-obrazovanie-ENG-WEB-1.pdf>.
- 51 Government of North Macedonia. Inclusion of Roma Children in Kindergarten. 2018. <http://www.mtsp.gov.mk/inkluzija-na-deca-romi-vo-detski-gradinki.nsp.x>.
- 52 Government of North Macedonia. Report on the Completed Activities for the Education Strategy 2018–2025 for 2018. February 2019. <http://mrk.mk/wp-content/uploads/2019/02/Извештај-за-реализирани-активности-од-Стратегија-за-образование--2018-2025-за-2018.pdf>.
- 53 Nova Makedonija. Compulsory inclusion of children with mild disabilities in regular schools. January 8, 2019. <https://www.novamakedonija.com.mk/makedonija/задолжителна-инклузија-на-децата-со-л/>.
- 54 U.S. Department of State. Country Reports on Human Rights Practices-2014: North Macedonia. Washington, DC. June 25, 2015. <https://2009-2017.state.gov/j/drl/rls/hrrpt/2014/humanrightsreport/index.htm#wrapper>.
- 55 U.S. Embassy- Skopje. Reporting. February 25, 2013.
- 56 UNICEF. Prevention and protection from violence and abuse. 2016: Project Document. <https://www.unicef.org/tfyr/macedonia/prevention.html>.
- 57 UNICEF. UNICEF Annual Report 2016. 2017. [https://www.unicef.org/about/annualreport/files/Macedonia_\(The_former_Yugoslav_Republic_of\)_2016_COAR.pdf](https://www.unicef.org/about/annualreport/files/Macedonia_(The_former_Yugoslav_Republic_of)_2016_COAR.pdf).
- 58 Government of North Macedonia. 2014–2020 Roma Strategy. 2014. http://www.mtsp.gov.mk/content/pdf/strategii/Strategija_za_Romite_во_RM_2014-2020.pdf.
- 59 U.S. Embassy- Skopje official. Email communication to USDOL official. March 3, 2017.
- 60 UNICEF. Data Collection in North Macedonia. Skopje. 2018. <https://www.unicef.org/tfyr/macedonia/press-releases/data-collection-situation-children-and-women-country-starting>.
- 61 Government of North Macedonia. Free child rest and recreation service. 2018. <http://www.mtsp.gov.mk/besplatna-usluga-za-odmor-i-rekreacija-na-deca.nsp.x>.
- 62 Government of North Macedonia. Increase the capacity for care and upbringing of children. 2018. <http://www.mtsp.gov.mk/zgolemuvanje-na-kapacitetite-za-zgrizuvanje-i-voospitanie.nsp.x>.

In 2018, Oman made a moderate advancement in efforts to eliminate the worst forms of child labor. The Sultan of Oman promulgated a new Penal Code that enhanced penalties related to commercial sexual exploitation of children. The National Committee for Combating Human Trafficking signed an agreement with the Oman Lawyers Association to allow attorneys to represent victims of human trafficking on a pro bono basis. The Committee also launched and began implementing a new National Action Plan for Combating Human Trafficking and conducted awareness-raising activities. Although research is limited, there is evidence that children in Oman engage in child labor, including in fishing and selling items in kiosks. The government lacks a reciprocal referral mechanism between the labor inspectorate and social services.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Oman engage in child labor, including in fishing and selling items in kiosks. (1,2) Table 1 provides key indicators on children's work and education in Oman. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		107.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (3)

Source for all other data: Data were unavailable from ILO's analysis, 2019. (4)

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	Farming, activities unknown (1)
	Fishing, activities unknown (1,2)
Services	Selling food items in kiosks, including fish† and grilled meat† (1)
	Begging† (5)

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

Limited evidence suggests that children with disabilities may face barriers to accessing education, because some school buses are not wheelchair accessible and there is a lack of resources to provide equal educational services to intellectually disabled students.

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

MODERATE ADVANCEMENT

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's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 46 of the Child Law (9)
Minimum Age for Hazardous Work	Yes	18	Article 76 of the Labor Law; Article 45 of the Child Law (9,10)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 76 of the Labor Law; Ministry of Manpower Order 217/2016 (10,11)
Prohibition of Forced Labor	Yes		Articles 1–2 and 9 of the Law to Combat Human Trafficking; Article 3bis of the Labor Law (10,12)
Prohibition of Child Trafficking	Yes		Articles 1–2 and 9 of the Law to Combat Human Trafficking (12)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 1–2 and 9 of the Law to Combat Human Trafficking; Articles 254–255 and 267–268 of the Penal Code (12,13)
Prohibition of Using Children in Illicit Activities	Yes		Articles 58 and 74 of the Child Law; Article 43 of the Law on Narcotic Drugs and Psychotropic Substances (9,14)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Article 55 of the Child Law (9)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 55 of the Child Law (9)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 1(f) and 55 of the Child Law (9)
Compulsory Education Age	Yes	16‡	Article 36 of the Child Law (9)
Free Public Education	Yes		Article 13 of the Basic Law; Article 36 of the Child Law (9,15)

* No conscription (16)

‡ Age calculated based on available information (16)

In January 2018, a new Penal Code was adopted and entered into force, repealing the previous Penal Code of 1974. (13) The new Penal Code increased penalties for some crimes, including increases in prison time, and added the amount of fines. Changes include increasing prison time from 5 to 10 years for inciting a child to commit prostitution, and from a minimum of 3 months to a minimum of 1 year for earning a living from a third party's engagement in prostitution. (13,17)

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 authority of the Ministry of Manpower that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Manpower	Monitors and enforces child labor laws, conducts labor inspections, and shares information with the Royal Oman Police on labor and criminal law violations when penalties are pursued. (6)
Ministry of Social Development	Enforces the Child Law, including by receiving complaints and referring cases to the Royal Oman Police and the Office of Public Prosecutor. (6)
Royal Oman Police	Monitors and enforces the Child Law, including its provisions related to child labor, and refers cases to the Office of Public Prosecutor. (6)
Office of Public Prosecutor	Prosecutes human trafficking and sexual exploitation cases in court with assistance from the Royal Oman Police. (6,18)
Child Protection Committee	Protects children from exploitation, receives complaints and reports of child labor, and investigates reported cases to determine whether children are engaged in prohibited activities or whether working has negative effects on their health or education. (6,19)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Oman took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Manpower that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (16)	Unknown (20)
Number of Labor Inspectors	354 (16)	316 (20)
Inspectorate Authorized to Assess Penalties	No (21)	No (21)
Initial Training for New Labor Inspectors	Unknown (16)	Yes (20)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (16)	Yes (20)
Number of Labor Inspections Conducted	8,890 (16)	Unknown (20)
Number Conducted at Worksite	Unknown (16)	Unknown (20)
Number of Child Labor Violations Found	0 (16)	0 (20)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A
Number of Child Labor Penalties Imposed that Were Collected	N/A	N/A
Routine Inspections Conducted	Yes (16)	Yes (20)
Routine Inspections Targeted	Unknown (16)	Unknown (20)
Unannounced Inspections Permitted	Yes (21)	Yes (20)
Unannounced Inspections Conducted	Yes (16)	Yes (20)
Complaint Mechanism Exists	Yes (16)	Yes (20)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (22)	No (20)

In 2018, the Ministry of Manpower provided four refresher courses to inspectors, including on international labor standards and dispute resolution. A Ministry official stated that in Muscat governorate alone, the government conducted 3,593 labor inspections. (20)

Criminal Law Enforcement

In 2018, the government's criminal law enforcement agencies appeared to function adequately in addressing child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (16)	Yes (20)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (23)	Yes (24)

MODERATE ADVANCEMENT

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

Overview of Criminal Law Enforcement	2017	2018
Number of Investigations	0 (8)	0 (20)
Number of Violations Found	0 (8)	0 (20)
Number of Prosecutions Initiated	0 (8)	0 (20)
Number of Convictions	0 (8)	0 (20)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	N/A	N/A
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (16,22)	Yes (20)

In 2018, the government, in cooperation with UNODC, provided training to approximately 150 government officials. The trainings covered issues such as the mechanisms to implement the Law to Combat Human Trafficking, and techniques to investigate human trafficking cases. (24) The government investigated 11 cases of alleged human trafficking, initiated 5 prosecutions, and convicted 15 individuals. However, none of the officially reported cases involved child victims of trafficking. (25)

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 the omission of the Ministry of Manpower from the National Committee on Implementing the UN CRC.

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

Coordinating Body	Role & Description
National Committee on Implementing the UN CRC	Led by the Ministry of Social Development, oversees the implementation of the UN CRC, including its provisions related to child labor and its worst forms. There are subcommittees in all 11 governorates. (6) Other members include three other state agencies. The Ministry of Manpower is not represented. (6) Research was unable to determine whether the National Committee on Implementing the UN CRC was active during the reporting period.
National Committee for Combating Human Trafficking	Oversees the National Plan for Combating Human Trafficking. Includes the Royal Oman Police and 10 other state agencies. (6) The Committee drafted the National Action Plan for Combating Human Trafficking, which was approved and adopted in March 2018. (23) In December 2018, the Committee signed an agreement with the Oman Lawyers Association to allow the Association to represent victims of human trafficking on a pro bono basis. (26)

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 covering all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan for Combating Human Trafficking (2018–2020)†	Aims to raise awareness among migrant workers on their rights and responsibilities and to raise awareness on countering human trafficking through leaflets, posters, websites, and social media. Established a human trafficking task force, including representatives from the Ministry of Manpower, the Royal Oman Police, the Ministry of Social Development, and other agencies, to follow up on cases of human trafficking. Established specialized human trafficking units in the Court of Appeals in Muscat and in the above-mentioned ministries. Regulates domestic work and allows for inspection of homes upon receipt of complaints from domestic workers; and provides annual training to government agencies and private companies on countering human trafficking. (27) In 2018, the government began implementing the action plan and established the interagency task force. The government also began raising awareness of human trafficking through broadcasting television interviews with police and prosecution officials. (20) In March 2019, the Ministry of Manpower released a video in Arabic and English that clarified the rights and responsibilities of migrant workers. (24) Migrant workers have the right to obtain a labor card, receive monthly wages and overtime rates, and file a complaint if, for example, they do not receive their payments on time. Migrant workers are responsible for respecting the laws and social customs in Oman; they can work only for the employer for whom they are authorized to work and may not leave that employer. (28)

† Policy was approved during the reporting period.

Although the Government of Oman has adopted the National Plan for Combatting Human Trafficking, research found no evidence of a policy to address all forms of child labor, including in farming and fishing.

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, which cover the main sectors where child labor has been identified in the country (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Social Security Cash Transfer Program†	Provides assistance to children in low-income families, including educational services. (19) The program continued in 2018 and the Oman Human Rights Commission helped families who had previously faced problems receiving subsidies access services. (20)

† Program is funded by the Government of Oman

In December 2018, the Oman Human Rights Commission declared that 2019 will be the Year of the Child, placing emphasis on training children and teachers on the Child Law so that children are aware of their rights and less vulnerable to exploitation. (20)

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 Oman (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Collect and publish data on labor inspectorate funding, the number of inspections and those conducted at worksites, and whether targeted inspections were conducted.	2013 – 2018
	Authorize the inspectorate to assess penalties.	2017 – 2018
	Establish a referral mechanism between labor law enforcement and social services.	2014 – 2018
Coordination	Ensure that the National Committee on Implementing the UN CRC is able to carry out its intended mandate and that the Ministry of Manpower participates in the Committee.	2016 – 2018
Government Policies	Develop a national policy to address all forms of child labor.	2013 – 2018
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2018
	Ensure that all children have equal access to education, including the children of migrant workers and children with disabilities.	2011 – 2018

REFERENCES

- Umar, Baba and Tariq Al Haremi. Child Labour Prevalent among Low-Income Families in Oman. Times of Oman, Muscat, June 25, 2016. <http://timesofoman.com/article/86806/Oman/Government/Child-labour-prevalent-among-low-income-families-in-Oman-says-Survey>.
- Al Murashi, Fahad. Omani Brothers Still Missing at Sea. Gulf News, Dubai, February 13, 2016. <http://gulfnews.com/news/gulf/oman/omani-brothers-still-missing-at-sea-1.1671573>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Times News Service. “Child Beggars Arrested in Oman during Ramadan.” Times of Oman, Muscat, July 25, 2016. <http://timesofoman.com/article/88682/Oman/Government/Child-beggars-arrested-during-Ramadan-in-Oman>.
- U.S. Embassy- Muscat. Reporting. January 5, 2017.
- UN CRC. Consideration of Reports Submitted by States Parties Under Article 44 of the Convention: Concluding Observations: Oman. Geneva, March 14, 2016: CRC/C/OMN/CO/3-4. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OMN/CO/3-4&Lang=En.
- U.S. Embassy- Muscat official. Email communication to USDOL official. May 20, 2018.
- Government of Oman. Royal Decree Number 22/2014 Issuing the Child’s Law. Enacted: May 19, 2014. <https://www.mindbank.info/item/5887>.
- Government of Oman. Royal Decree No. 35/2003 Issuing the Labour Law. Enacted: April 26, 2003. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/67540/84139/F1719028671/OMN67540.pdf>.

MODERATE ADVANCEMENT

- 11 Government of Oman. Ministry of Manpower, Order 217/2016. Enacted: July 4, 2016.
<http://data.qanoon.om/ar/md/momp/2016-0217.pdf>.
- 12 Government of Oman. Royal Decree No 126/2008 Anti-Trafficking Law. Enacted: November 23, 2008.
www.ncchtoman.gov.om/download.asp?filename=ncchtLaw_e.pdf.
- 13 Government of Oman. Royal Decree No. 7 of 2018 promulgating the Penal Code. Official Gazette No. 1226. January 11, 2018. Source on file.
- 14 Government of Oman. Law on Narcotic Drugs and Psychotropic Substances, promulgated by Royal Decree 17 of 1999, as amended by Royal Decree 34 of 2015. October 5, 2015. Source on file.
- 15 Government of Oman. Sultani Decree No. (101/96) Promulgating the Basic Statute of the State. Enacted: November 6, 1996.
<http://www.wipo.int/wipolex/en/details.jsp?id=6118>.
- 16 U.S. Embassy- Muscat. Reporting. January 16, 2018.
- 17 Government of Oman. Royal Decree Number 7174 - The Penal Code. Enacted: February 16, 1974.
[http://www.fiu.gov.om/files/english/Omani Penal Code/Royal Decree No. 7-74-1.pdf](http://www.fiu.gov.om/files/english/Omani%20Penal%20Code/Royal%20Decree%20No.%207-74-1.pdf).
- 18 Sultanate of Oman National Committee for Combating Human Trafficking. National Plan for Combating Human Trafficking. Muscat, September 2009.
www.ncchtoman.gov.om/cdn/download.aspx?filename=plan_eng.pdf.
- 19 Government of Oman. Efforts of the Sultanate of Oman To limit the worst forms of child labor And trafficking in persons, And some observations on the report issued by the U.S. Department of Labor on Child Labor and trafficking in persons in the Sultanate. December 19, 2016. Source on file.
- 20 U.S. Embassy- Muscat. Reporting. February 7, 2019.
- 21 Ministry of Manpower. Guide to Labor Inspection. Source on file.
- 22 U.S. Embassy- Muscat official. Email communication to USDOL official. February 8, 2018.
- 23 U.S. Embassy- Muscat. Reporting. March 19, 2018.
- 24 U.S. Embassy- Muscat. Reporting. March 26, 2019.
- 25 U.S. Department of State. Trafficking in Persons Report- 2019: Oman. Washington, DC. June 20, 2019.
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/oman/>.
- 26 Muscat Daily. Oman Lawyers Association Signs Pact to Defend Victims of Human Trafficking. December 4, 2018.
<https://muscatdaily.com/Archive/Oman/Oman-Lawyers-Association-signs-pact-to-defend-victims-of-human-trafficking-5car>.
- 27 Government of Oman. National Action Plan for Combating Human Trafficking 2018-2020. 2018 Source on file.
- 28 Times of Oman. Video: Oman's Ministry of Manpower explains expat worker guidelines. March 11, 2019.
<https://timesofoman.com/article/959916>.

In 2018, Pakistan made a moderate advancement in efforts to eliminate the worst forms of child labor. All four provincial governments started conducting child labor surveys, which will constitute the first nationwide child labor survey since 1996. The federal government also passed the Prevention of Trafficking in Persons Act and convicted its first child pornography case. In addition, Khyber Pakhtunkhwa, Punjab, and Sindh provinces each adopted new policies that will address child labor. However, children in Pakistan engage in the worst forms of child labor, including in forced domestic work and in bonded labor in brick kilns and agriculture. Although the federal and provincial governments made meaningful efforts in all relevant areas during the reporting period, the federal government and Balochistan Province have not established a minimum age for work or hazardous work in compliance with international standards. In addition, provincial governments do not have the resources necessary to adequately enforce laws prohibiting child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Pakistan engage in the worst forms of child labor, including in forced domestic work and in bonded labor in brick kilns and agriculture. (1,2) Table 1 provides key indicators on children's work and education in Pakistan. 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	Related Entity	Age	Percent
Working (% and population)	All Pakistan	5 to 14	Unavailable
	Punjab Province	5 to 14	12.4
	Sindh Province	5 to 14	21.5
Attending School (%)	All Pakistan	5 to 14	Unavailable
	Punjab Province	5 to 14	77.1
	Sindh Province	5 to 14	60.6
Combining Work and School (%)	All Pakistan	7 to 14	Unavailable
	Punjab Province	7 to 14	8.2
	Sindh Province	7 to 14	11.6
Primary Completion Rate (%)	All Pakistan		71.3
	Punjab Province		Unavailable
	Sindh Province		Unavailable

Source for primary completion rate: Data from 2016, published by the UNESCO Institute for Statistics, 2019. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014. (4)

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	Farming, including harvesting cotton, wheat, and sugarcane (5-9)
	Fishing, including deep sea fishing (10,11)
Industry	Manufacturing glass bangles† and surgical instruments† (8,10,12-16)
	Weaving carpets,† producing garments, tanning leather,† and stitching soccer balls (8,10,15,17,18)

Pakistan

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Producing bricks (1,19-21)
	Mining coal† and gemstones, and crushing stone† (10,21-23)
Services	Domestic work (2,24-26)
	Working in hotels, restaurants, gas stations, and automobile repair (6,8,27-30)
	Scavenging‡ and sorting garbage and recyclables, begging, and street vending (5,8,27,31-33)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, brickmaking, carpet weaving, and coal mining (1,8,34-38)
	Forced domestic work, sometimes as a result of human trafficking (2,24,25,37)
	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (32,37,39-42)
	Forced begging, sometimes as a result of human trafficking (6,8,32,37,43)
	Forced recruitment of children by non-state armed groups for use in armed conflict (37)
	Use in illicit activities, including trafficking and producing drugs (44)

† 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.

Pakistan consists of four provinces—Balochistan, Khyber Pakhtunkhwa, Punjab, and Sindh—and the Islamabad Capital Territory, each of which is responsible for all social services, including those related to labor, within their areas. Law enforcement responsibilities are shared between the federal and provincial governments. (45) When available, data and information are included for the federal and provincial governments in this report.

In 2018, all four provincial governments began conducting child labor surveys, which together will constitute a nationwide child labor survey. The surveys were funded in 2017 and are on track to be completed in 2019. (8) The most recent national child labor survey was conducted in 1996, and the lack of recent data has hampered the ability of the federal and provincial governments to accurately assess the scope and prevalence of child labor. (46)

Many child domestic workers are working under conditions of forced labor, including debt bondage, sexual assault, and extreme physical abuse. (2,25) Some children work with their families as bonded laborers in the production of bricks. (6,37,47) In addition, non-state armed militant groups forcibly recruited and used children in terrorist activities, including suicide attacks. These militant groups include Tehreek-e-Taliban Pakistan, and reports state that children were recruited from *madrassas* (Islamic religious schools). (8,48)

Many children face barriers to accessing education due to high rates of teacher absenteeism, inadequate facilities, lack of transportation, and corporal punishment, which may deter children from attending school. (8,49,50) Moreover, while reports state that the total number of terrorist attacks have decreased since 2009, armed groups and extremist groups continue to attack and threaten students, teachers, and schools, disrupting children’s access to education. (48,51)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Pakistan has ratified most 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	✓

Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Pakistan's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and hazardous work.

Table 4. Laws and Regulations on Child Labor

Standard	Related Entity	Meets International Standards	Age	Legislation
Minimum Age for Work	Federal	No	15	Section 50 of the Factories Act; Section 20 of the Shops and Establishments Ordinance; Section 26 of the Mines Act; Section 3 of the Road Transport Workers Ordinance (52-55)
	Khyber Pakhtunkhwa	Yes	15	Sections 2(1)(b) and 3(1) of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act; Section 21 of the Khyber Pakhtunkhwa Shops and Establishments Act; Section 49 of the Khyber Pakhtunkhwa Factories Act (56-58)
	Punjab	Yes	15	Section 3(1) of the Punjab Restriction on Employment of Children Ordinance; Section 5 of the Punjab Prohibition of Child Labor at Brick Kilns Act (59,60)
	Sindh	Yes	15	Section 3(1) of the Sindh Prohibition of Employment of Children Act; Section 81 of the Sindh Factories Act; Section 20 of the Sindh Shops and Commercial Establishment Act (61-63)
Minimum Age for Hazardous Work	Federal	No	15	Sections 2–3 of the Employment of Children Act (64)
	Khyber Pakhtunkhwa	Yes	19	Sections 2(1)(a) and 3(2) of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act (56)
	Punjab	Yes	18	Section 3(2) of the Punjab Restriction on Employment of Children Ordinance (60)
	Sindh	Yes	19	Section 3(2) of the Sindh Prohibition of Employment of Children Act (63)
Identification of Hazardous Occupations or Activities Prohibited for Children	Federal	Yes		Parts 1–2 of the Schedule of the Employment of Children Act (64)
	Khyber Pakhtunkhwa	Yes		Parts 1–2 of the Schedule of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act (56)
	Punjab	Yes		Schedule of Hazardous Work of the Punjab Restriction on Employment of Children Ordinance (62)
	Sindh	Yes		Schedule of Hazardous Work of the Sindh Prohibition of Employment of Children Act (63)
Prohibition of Forced Labor	Federal	Yes		Sections 3 and 7 of the Prevention of Trafficking in Persons Act; Section 4 of the Bonded Labor System (Abolition) Act; Sections 367, 370, 371A–371B, and 374 of the Penal Code (65-67)
	Khyber Pakhtunkhwa	Yes		Sections 2(j) and 3 of the Khyber Pakhtunkhwa Bonded Labor System (Abolition) Act (68)
	Punjab	Yes		Section 11(3) of the Punjab Restriction on Employment of Children Ordinance; Section 4 of the Punjab Bonded Labor System (Abolition) Act (60,69)
	Sindh	Yes		Section 4 of the Sindh Bonded Labor System (Abolition) Act (70)
Prohibition of Child Trafficking	Federal	Yes		Sections 3 and 7 of the Prevention of Trafficking in Persons Act; Sections 366A–366B of the Penal Code (66,67,71)
	Khyber Pakhtunkhwa	No		Sections 2 and 52 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (72)

Pakistan

MODERATE ADVANCEMENT

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

Standard	Related Entity	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Federal	No		Sections 292(B)–(C), 366A–366B, and 371A–371B of the Penal Code; Sections 2, 3, and 7 of the Prevention of Trafficking in Persons Act (66,67,73)
	Khyber Pakhtunkhwa	No		Sections 2, 48, and 53 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (72)
	Punjab	Yes		Section 11(3)(b) of the Punjab Restriction on Employment of Children Ordinance; Section 40 of the Punjab Destitute and Neglected Children Act (60,74)
Prohibition of Using Children in Illicit Activities	Federal	No		
	Khyber Pakhtunkhwa	No		Sections 35, 38, and 45 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (72)
	Punjab	Yes		Section 11(3)(c) of the Punjab Restriction on Employment of Children Ordinance; Section 36 and 36A of the Punjab Destitute and Neglected Children Act (60,74)
Minimum Age for Voluntary State Military Recruitment	Federal	Yes	18	Section 3 of the National Service Ordinance (75)
Prohibition of Compulsory Recruitment of Children by (State) Military	Federal	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Federal	No		
	Punjab	Yes		Section 11(3)(a) of the Punjab Restriction on Employment of Children Ordinance (60)
Compulsory Education Age	Federal	Yes	16	Section 3 of the Right to Free and Compulsory Education Act (76)
	Balochistan	Yes	16	Section 3 of the Balochistan Compulsory Education Act (77)
	Khyber Pakhtunkhwa	Yes	16	Section 3 of the Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act (56)
	Punjab	Yes	16	The Punjab Free and Compulsory Education Ordinance (78)
	Sindh	Yes	16	Section 3(1) of the Sindh Right of Children to Free and Compulsory Education Act (79)
Free Public Education	Federal	Yes		Section 3 of the Right to Free and Compulsory Education Act (76)
	Balochistan	Yes		Section 2(f) of the Balochistan Compulsory Education Act (77)
	Khyber Pakhtunkhwa	Yes		Section 3 of the Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act (56)
	Punjab	Yes		The Punjab Free and Compulsory Education Act (78)
	Sindh	Yes		Section 3(1) of the Sindh Right of Children to Free and Compulsory Education Act (79)

* No conscription (75)

The federal and provincial governments have concurrent jurisdiction over labor legislation. (80) According to the Constitution, both federal and provincial governments can pass legislation on criminal law. (81)

In 2018, the federal government enacted the Prevention of Trafficking in Persons Act, which brings the law into compliance with international standards by exempting children from the requirement that force, fraud, or coercion must be proven to constitute trafficking and by including all trafficking for forced labor and commercial sexual exploitation. (67) In addition, the National Assembly passed a bill entitled the Islamabad Capital Territory Prohibition of Employment of Children Act, which would prohibit the employment of children age 14 and younger in any establishment, including agricultural and household establishments. The bill would also prohibit the employment of adolescents ages 15–18 from employment in hazardous work and establishes a schedule of hazardous work prohibited for adolescents. (82) The Senate must approve the bill before it can be enacted. (8) Lastly, a law banning domestic work for children under age 15 in Punjab Province came into effect in early 2019. (83,84)

However, Pakistan's federal and provincial laws are not completely in compliance with international standards on child labor. The federal government's minimum age for work is not in compliance with international standards because it does not extend to informal employment. Sindh Province's laws setting the minimum age for work also do not extend to informal work or factories that employ fewer than 10 persons. (61,62) The federal minimum age for hazardous work also does not comply with international standards because it is below age 18. (64) Balochistan Province has not established a minimum age for employment or for hazardous work, and, therefore, federal child employment laws apply in Balochistan. (46,64) In addition, hazardous work prohibitions for the federal government and the Khyber Pakhtunkhwa, Punjab, and Sindh provinces do not cover brickmaking and domestic work, for which there is evidence that children are exposed to environmental health hazards in brickmaking and physical abuse in domestic work. (19,26,56,60,63,64)

Federal law does not prohibit the use of children for prostitution or pornographic performances. (66) In addition, federal and provincial laws, with the exception of Punjab provincial law, do not prohibit the use of children in drug production and drug trafficking. (60,72) The federal and provincial governments, with the exception of Punjab Province, have not enacted laws that prohibit the recruitment and use of children by non-state groups for armed conflict. (11)

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 provincial labor inspectorates that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Provincial Labor Inspectors	Inspects industrial areas and markets to identify child labor violations, enforces provincial labor laws, and pursues legal action against employers. (11)
Labor Courts	Assesses penalties for labor violations. (8,85,86)
Provincial and Regional Police	Enforces violations of federal and provincial laws, including the Pakistan Penal Code, Prevention of Trafficking in Persons Act, and the Bonded Labor System (Abolition) Act, concerning the worst forms of child labor. Refer children taken into custody to Child Protection Officers. (11,83)
District Vigilance Committees	Implements the Bonded Labor System (Abolition) Act and assists in rehabilitating bonded laborers. Reports to the District Magistrate. (11,65)
Federal Investigation Agency, Anti-Trafficking Unit	Enforces transnational human trafficking-related laws, particularly the Prevention of Trafficking in Persons Act. Cooperates with other governments on human trafficking cases, operates a hotline for victims, and publishes information on anti-trafficking efforts on its website. (8,11)
Child Protection Units	Takes into custody at-risk children, including those rescued from exploitative labor situations. Presents cases of children taken into custody to the Child Protection Court or the appropriate authority. Established in Punjab, Khyber Pakhtunkhwa, and Sindh provinces. (11,72,74,87-89)

During the reporting period, the Government of Balochistan Province had not yet established Child Protection Units throughout the Province as mandated by the 2016 Balochistan Child Protection Act; however, in 2018, the provincial government did launch a pilot Child Protection Unit in Quetta in preparation for establishing additional units. In addition, while District Vigilance Committees are functioning in Punjab Province and reportedly functioning in Sindh Province, they are not yet functional in Balochistan and Khyber Pakhtunkhwa provinces. (37,90)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Pakistan took actions to combat child labor (Table 6). However, gaps exist within the operations of the Provincial Labor Inspectors that may hinder adequate labor law enforcement, including lack of data on provincial government efforts to enforce child labor laws.

Pakistan

MODERATE ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	Related Entity	2017	2018
Labor Inspectorate Funding		Unknown (44)	Unknown (8)
Number of Labor Inspectors	National Total	356 (44)	Unknown (8)
	Balochistan	Unknown	Unknown (8)
	Khyber Pakhtunkhwa	39 (91)	Unknown (8)
	Punjab	Unknown	Unknown (8)
	Sindh	Unknown	152 (8)
Inspectorate Authorized to Assess Penalties	Balochistan	Unknown	Unknown
	Khyber Pakhtunkhwa	No (91)	No (8)
	Punjab	No (91)	No (8)
	Sindh	No (8)	No (8)
Initial Training for New Labor Inspectors	National	Yes (44)	Yes (8)
	Khyber Pakhtunkhwa	Yes (91)	Unknown
	Punjab	No (91)	Yes (8)
Training on New Laws Related to Child Labor	National	Yes (44)	Yes (8)
	Khyber Pakhtunkhwa	Yes (91)	Unknown
	Punjab	No (91)	Unknown
Refresher Courses Provided	National	Yes (44)	Yes (8)
	Khyber Pakhtunkhwa	Yes (91)	Unknown
	Punjab	No (91)	Yes (8)
Number of Labor Inspections Conducted	National Total	Unknown (44)	11,910 (92)
	Balochistan	Unknown	Unknown (8)
	Khyber Pakhtunkhwa	2,780 (91)	Unknown (8)
	Punjab	26,078 (91)	51,798† (93)
	Sindh	Unknown	Unknown (8)
Number Conducted at Worksite	Khyber Pakhtunkhwa	2,780 (91)	Unknown (8)
	Punjab	26,078 (91)	Unknown (8)
Number of Child Labor Violations Found	National Total	Unknown	Unknown (8)
	Punjab	4,491 (91)	98† (93)
	Khyber Pakhtunkhwa	18 (91)	Unknown (8)
	Sindh	Unknown	Unknown (8)
Number of Child Labor Violations for Which Penalties Were Imposed	National Total	Unknown	Unknown (8)
	Khyber Pakhtunkhwa	18 (91)	Unknown (8)
	Punjab	2,221 (91)	Unknown (8)
	Khyber Pakhtunkhwa	Unknown (91)	Unknown (8)
Number of Child Labor Penalties Imposed that Were Collected	Punjab	1,134 (91)	Unknown (8)
Routine Inspections Conducted	Khyber Pakhtunkhwa	Yes (91)	Yes (8)
	Punjab	Yes (91)	Yes (8)
Routine Inspections Targeted	Khyber Pakhtunkhwa	No (91)	Unknown (8)
	Punjab	Yes (91)	Unknown (8)
Unannounced Inspections Permitted	Khyber Pakhtunkhwa	Yes (91)	Yes (8)
	Punjab	Yes (91)	Yes (8)
	Sindh	No (94)	Yes (8)
Unannounced Inspections Conducted	Khyber Pakhtunkhwa	Yes (91)	Unknown (8)
	Punjab	Yes (91)	Unknown (8)
	Sindh	No (94)	Unknown (8)
Complaint Mechanism Exists	Khyber Pakhtunkhwa	Yes (91)	Yes (8)
	Punjab	Yes (91)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Khyber Pakhtunkhwa	No (91)	No (8)
	Punjab	No (91)	No (8)

† Data are from January - September 5, 2018 (93)

Following the devolution of federal powers to provincial governments, the provinces are responsible for enforcing labor laws, including those involving child labor law violations. (11) Provincial labor departments collect comprehensive data on labor law enforcement at the district level. However, there is no centralized repository for the data, nor any regular mechanism for reporting it to the federal government. (8) Therefore, limited labor inspection data are available for the provincial governments.

Based on 2017 data, the number of labor inspectors is likely insufficient for the size of Pakistan's workforce, which includes approximately 64 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Pakistan would employ about 4,259 labor inspectors. (95-97) Labor inspectorates do not receive sufficient resources, which may hamper the labor inspectors' ability to inspect workplaces. (44,83,98,99) For example, labor departments in Khyber Pakhtunkhwa, Punjab, and Sindh provinces did not provide funds to cover the cost of transportation to conduct inspections. (8) In Sindh Province, it is reported that inspectors stopped conducting unannounced inspections due to complaints of harassment filed against inspectors by employers. (94) Across the provinces, fines and penalties were assessed infrequently and were insufficient to deter employers from using child labor. (45,100)

In 2018, efforts were made by the provincial governments to increase labor inspectorate capacity and enforce child labor laws. For example, the Government of Sindh Province hired 32 new labor inspectors, and labor inspectors in Punjab Province received training through the ILO's Strengthening Labor Inspection Systems in Pakistan project. (8) Between January and August 2018, the Punjab Labor Welfare Department found 65 cases of child labor during inspections of 482 brick kilns, and 33 cases of child labor during inspections of 732 establishments. (93)

During the reporting period, Sindh Province also strengthened protections against child labor by enacting the Sindh Home-Based Workers Act. The act requires the establishment of a Sindh Workers Welfare Board, which is mandated to conduct a survey of home-based work for the identification and removal of hazardous conditions, and to discourage the use of child labor in home-based work. (101)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Pakistan 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 data on federal and provincial government efforts to enforce laws criminally prohibiting the worst forms of child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (44)	Unknown (8)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (44)	Unknown (8)
Refresher Courses Provided	Unknown (44)	Yes (92)
Number of Investigations	Unknown (44)	Unknown (8)
Number of Violations Found	Unknown (44)	Unknown (8)
Number of Prosecutions Initiated	Unknown (44)	Unknown (8)
Number of Convictions	Unknown (44)	Unknown (8)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Unknown (8)

While the federal and provincial governments do not publish data on efforts to enforce laws prohibiting the worst forms of child labor, the federal government did report on efforts to enforce Section 366/A of the federal Penal Code prohibiting the procurement of minor girls under age 18. (8,92) In 2018, there were 2 registered cases involving Penal Code Section 366/A in Khyber Pakhtunkhwa Province, 19 in Punjab Province, and 7 in Sindh Province. In addition, there was 1 case prosecuted in Khyber Pakhtunkhwa Province, 18 in Punjab Province,

Pakistan

MODERATE ADVANCEMENT

and 2 in Sindh Province. During the reporting period, Pakistan's federal government also convicted its first perpetrator in a child pornography case. The perpetrator was sentenced to 7 years in prison for distributing child pornography as part of an international child pornography cyber network. (8,102,103)

In 2018, Punjab Province strengthened protections for forced labor victims, including children, by adopting the Punjab Bonded Labour System (Abolition) Amendment Act, which increased penalties for employing bonded laborers by requiring perpetrators to both serve time in prison and pay a fine. (104)

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 fulfilling mandates to establish coordinating mechanisms.

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

Coordinating Body	Role & Description
Provincial Child Labor Units	Coordinates and initiates interventions against child labor at the provincial level. (91)
Provincial and Federal Tripartite Consultative Committees	Advises on the enforcement of labor laws, including child labor laws and monitors the functioning of labor departments at the provincial level. Monitors the implementation of provinces' proposed interventions on child and forced labor at the federal level. (91)
Interagency Task Force	Coordinates the anti-human trafficking efforts of the Ministry of the Interior; intelligence and law enforcement agencies; the Ministry of Law and Justice; and the Ministry of Foreign Affairs. Supports 27 Federal Investigation Agency anti-trafficking units that work with provincial and district police officers to monitor and combat domestic and transnational human trafficking. (37,106) Maintains an Integrated Border Management System. (107)
Balochistan Child Protection Commission	Coordinates efforts related to child protection at the provincial and district levels, advises on relevant policies and legislation, and supports the implementation of child protection referral mechanisms. Led by the Balochistan Social Welfare Department, various government departments, including the Education, Health and Labor departments, and law enforcement agencies. (89)
Khyber Pakhtunkhwa Child Protection and Welfare Commission	Coordinates efforts to enhance the safety, welfare, and well-being of children at the provincial and local levels. Reviews and monitors implementation of provincial laws and regulations related to child labor and those that affect the rights of children. (72) Led by the Province's Social Welfare, Special Education and Women Empowerment Department. (108)
Punjab Child Protection and Welfare Bureau	Coordinates the protection of destitute and neglected children by appointing child protection officers, supervising child protection units, and establishing child protection institutions and child protection courts. Chaired by an elected member of the board, which consists of three department secretaries, three members of the provincial assembly, and representatives from NGOs and academia. (74)
Sindh Child Protection Authority	Coordinates efforts to ensure the rights of children in need of special protection, including child laborers, by establishing child protection units and appointing child protection officers. Reviews and proposes amendments to existing laws and monitors the implementation of laws relevant to the protection of children. (88) Headed by the provincial minister, members include two parliamentarians, lawyers, social activists, and representatives from departments that deal with children's issues. (109)

In 2018, the federal government enacted the Islamabad Capital Territory Child Protection System Act, which mandates the establishment of a Child Protection Advisory Board. Once established, the board's responsibilities will include advising the government on the implementation of relevant laws and policies, ensuring that the child protection mechanism is effective, maintaining a case management system, regulating caregiver organizations, and submitting an annual report. (110) However, the federal government has not yet established the National Commission on the Rights of the Child as mandated by law. (8) Research was unable to determine whether existing coordinating bodies were active during the reporting period.

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 mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Sindh and Punjab Provincial Plans of Action to Combat Bonded Labor	Details how the Sindh and Punjab provinces plan to revise their bonded labor laws. Includes plans to strengthen the capacity of labor inspectors, generate awareness of bonded labor, improve reporting, and computerize labor inspection data. (111) During the reporting period, research was unable to determine what steps were taken to implement these plans
Sindh Labor Policy†	Seeks to protect vulnerable workers, including children. Includes goals to enforce laws dealing with hazardous child labor, extend the minimum age for employment in domestic and home-based work, ensure minimum wages for working children, and increase access to education and training. (112) Research was unable to determine what steps were taken to implement this policy.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (116-120)

† This policy was implemented during the reporting year.

In 2018, it was reported that the Khyber Pakhtunkhwa provincial cabinet approved a child labor policy, which would be the first child labor policy in Pakistan. Research has been unable to find a copy of the child labor policy. (8,121) During the reporting period, Punjab's provincial government also approved Punjab Labor Policy 2018, which is reported to include goals to conduct a Province-wide child labor survey, launch an online reporting and case management system for child labor, provide trainings for labor inspectors on child labor laws, and enroll out-of-school children in education programs. (122,123) Research has been unable to find a copy of the new labor policy. (8)

The provincial governments' education policies have not included child labor elimination and prevention strategies. (116-119)

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
Bait-ul-Mal Programs†	Government-funded programs that aim to remove children from child labor, including its worst forms, and to increase vulnerable children's access to education. Programs include the National Centers for Rehabilitation of Child Labor and the Child Support Program. (124,125) During the reporting period, research was unable to determine what steps were taken to implement this program during the reporting period.
Elimination of Child Labor and Bonded Labor Project (Integrated Project for Promotion of "Decent Work for Vulnerable Workers" in Punjab Province)†	Punjab Province-funded programs that aim to provide education to vulnerable children, rehabilitate bonded laborers working in brick kilns, promote integration and coordination of government responses, strengthen legislation, increase the capacity of law enforcement and service providers, and increase the knowledge base on these issues. (47,127,128) Project activities have been on hold since the transition to a newly elected provincial government in August 2018. (8)
ILO-Funded Projects	ILO projects in Pakistan aimed to eliminate child labor, including the \$216,000 project Sustaining GSP Plus Status by Strengthened National Capacities to Improve International Labor Standards (ILS) Compliance and Reporting (2015–2018), and the \$465,000 project Elimination of Child Labor and Promotion of Decent Work in the Stora Enso Value Chain in Pakistan (2015–2018). (129)

† Program is funded by the Government of Pakistan.

The social programs of the federal and provincial governments are insufficient to address the prevalence and scope of Pakistan's child labor problem. Existing programs also do not provide enough protection and rehabilitation services for bonded child laborers and victims of human trafficking. (37) Government initiatives are needed to specifically target child labor in the informal sector, including child labor and forced child labor in domestic work. (99) Furthermore, additional social programs are necessary to raise awareness and provide assistance to children used by non-state militant groups to engage in armed conflict. (130)

Pakistan

MODERATE ADVANCEMENT

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 Pakistan (Table II).

Table II. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Actions	Year(s) Suggested
Legal Framework	Accede to the Palermo Protocol on Trafficking in Persons.	2013 – 2018
	Ensure that the federal government's and Sindh Province's minimum age laws extend to all sectors and informal employment, regardless of the number of employees.	2011 – 2018
	Establish a minimum age for work of at least 14 in Balochistan Province.	2013 – 2018
	Establish a minimum age of 18 for hazardous work in Pakistan and Balochistan Province.	2009 – 2018
	Create comprehensive prohibitions against additional specific hazardous activities, such as brickmaking and domestic work.	2009 – 2018
	Ensure that the law criminalizes the use of children in all forms of commercial sexual exploitation, including for prostitution and pornographic performances.	2011 – 2018
	Ensure that the law prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2011 – 2018
	Ensure that the law criminally prohibits the recruitment and use of children under age 18 by non-state groups for armed conflict.	2015 – 2018
Enforcement	Establish Child Protective Units in Balochistan Province to ensure that services are in place to remove children from exploitative labor situations and refer them for appropriate child protection services.	2018
	Ensure that District Vigilance Committees that seek to ensure enforcement and implementation of bonded labor prohibitions are established and active throughout Pakistan.	2013 – 2018
	Publish enforcement data for child labor law violations, penalties imposed, and penalties collected for all provinces. In addition, publish information about labor inspectorate funding, the number of labor inspectors, the number of labor inspections conducted at the worksite, whether routine inspections were targeted, and whether unannounced inspections were conducted for all provinces.	2010 – 2018
	Establish a referral mechanism between criminal law enforcement agencies and social services in all provinces.	2018
	Create a centralized repository of labor law enforcement data and a regular mechanism for reporting it to the federal government, and make the data publicly available.	2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2018
	Provide the funding necessary to adequately hire, train, equip, and cover the cost of transportation for inspectors to enforce child labor laws.	2010 – 2018
	Allow labor inspectors in all provinces to conduct inspections without notice and assess penalties.	2011 – 2018
	Ensure that fines and penalties are sufficient to deter employers from violating child labor laws.	2014 – 2018
	Publish information about criminal law investigations, violations found, prosecutions initiated, and the number of convictions in all provinces.	2016 – 2018
Coordination	Establish a referral mechanism between labor authorities and social services in all provinces.	2017 – 2018
	Establish a National Commission on the Rights of the Child Act, as mandated by federal law.	2018
Government Policies	Publish information on the activities undertaken by coordinating bodies.	2017 – 2018
	Publish information on the implementation of existing child labor policies.	2017 – 2018
Social Programs	Integrate child labor elimination and prevention strategies in the education policies of the provincial governments.	2014 – 2018
	Complete and publish child labor surveys at the federal and provincial levels.	2009 – 2018
	Implement programs to address high rates of teacher absenteeism, inadequate facilities, lack of transportation, and use of corporal punishment to ensure that all children have access to free and compulsory education, as required by law. Increase security for schools to protect children and teachers from attacks by non-state armed and extremist groups.	2011 – 2018
	Publish information on the activities undertaken to implement government programs, such as the Bait-ul-Mal programs.	2018
	Implement existing programs and increase the size and scope of government programs to reach children working in the informal sector and in the worst forms of child labor, including domestic workers, bonded child laborers, and other victims of human trafficking.	2009 – 2018
Implement programs to raise awareness of and provide assistance to children used by non-state militant groups to engage in armed conflict.	2011 – 2018	

REFERENCES

- 1 Latif, Arfan, et al. Socio-economic and political determinants of child labor at brick kilns: A case study of district Jhang. *A Research Journal of South Asian Studies* 31, no. 1 (2016). Source on file.
- 2 Naqvi, Rizwana. The invisible workers. *Dawn*, June 12, 2016. Source on file.
- 3 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 4 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2014. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 5 Socio-Economic and Business Consultants. Child Labour in Wheat Straw and Recycled Paper Supply Chains. 2015. Source on file.
- 6 Society for the Protection of the Rights of the Child. The State of Pakistan's Children, Child Labor. 2015. <http://sparcpk.org/2015/SOPC2015/Child Labor.pdf>.
- 7 The Frontier Star. Govt taking steps to bring improvement in cotton industry: Khurram. April 16, 2016. Source on file.
- 8 U.S. Embassy- Islamabad. Reporting. January 14, 2019.
- 9 U.S. Embassy- Islamabad. Reporting. November 12, 2015.
- 10 Aziz, Zeeshan. Child labour on the rise despite laws against it: Kashif Bajeer. *Urdu Point*. May 23, 2017. <https://www.urdupoint.com/en/pakistan/child-labour-on-the-rise-despite-laws-against-141955.html>.
- 11 U.S. Embassy- Islamabad. Reporting. February 9, 2017.
- 12 Tickle, Louise. Why does so much of the NHS's surgical equipment start life in the sweatshops of Pakistan? *The Independent*, January 20, 2015. <http://www.independent.co.uk/life-style/health-and-families/features/why-does-so-much-of-the-nhss-surgical-equipment-start-life-in-the-sweatshops-of-pakistan-9988885.html>.
- 13 Bhutta, Mahmood F. Time for a global response to labour rights violations in the manufacture of health-care goods. *Bull World Health Organ* 95, no. 5 (May 1, 2017). <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5418828/>.
- 14 Soomro, Marvi. Cut from glass: The perilous lives of Hyderabad's bangle makers. *Dawn*, November 28, 2015. <https://www.dawn.com/news/1221040/cut-from-glass-the-perilous-lives-of-hyderabad-bangle-makers>.
- 15 Junaid, Muhammad, et al. Health hazards of child labor in the leather products and surgical instrument manufacturing industries of Sialkot, Pakistan. *Environmental Pollution* Vol. 226, July 2017. <https://www.sciencedirect.com/science/article/pii/S0269749116325210?via=ihub>.
- 16 McVeigh, Karen, and Haroon Janjua. NHS admits doctors may be using tools made by children in Pakistan. *The Guardian*, January 29, 2018. <https://www.theguardian.com/global-development/2018/jan/29/nhs-admits-doctors-may-be-using-tools-made-by-children-in-pakistan>.
- 17 Zhou, M and ILO. Pakistan's hidden workers: Wages and conditions of home-based workers and the informal economy. ILO, 2017. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms_554877.pdf.
- 18 U.S. Embassy- Islamabad. Reporting. January 31, 2012.
- 19 Zakria Zakar, Muhammad, et al. Nobody likes a person whose body is covered with mud. hazards faced by child labourers in the brick kiln sector of the Okara district, Pakistan." *Canadian Journal of Behavioural Science* 47 no. 1:21-28. 2015. Source on file.
- 20 Miller, Richard C.W. Work or Starve: Child Labour in Pakistan's Brick Kilns. *The Huffington Post*, January 30, 2014. http://www.huffingtonpost.com.co.uk/richard-cw-miller/child-labour-pakistan_b_4694541.html.
- 21 European Commission, High Representative for the Union for Foreign Affairs and Security Policy. The EU Special Incentive Arrangement for Sustainable Development and Good Governance and assessment of Pakistan covering the period 2016–2017. Brussels. January 19, 2018. <https://ec.europa.eu/transparency/regdoc/rep/10102/2018/EN/SWD-2018-29-FI-EN-MAIN-PART-1.PDF>.
- 22 Daily Times. The rights of Pakistani coal miners. May 3, 2016. <http://labourwatchpakistan.com/the-rights-of-pakistani-coal-miners/>.
- 23 Notezai, Muhammad Akbar. Shahrag, the Pakistani town where boys aren't safe from men. *The Dawn*. February 17, 2019. <https://www.dawn.com/news/1463990>.
- 24 The Express Tribune. Violence against child workers condemned. January 24, 2014. <http://tribune.com.pk/story/662587/violence-against-child-workers-condemned/>.
- 25 Society for the Protection of the Rights of the Child. Child Domestic Labour. 2017. Source on file.
- 26 Society for the Protection of the Rights of the Child. Rapid Assessment on Child Domestic Labour. 2015. Source on file.
- 27 Asad, Malik. Domestic trafficking of minors fuels child labour. *Dawn*, February 5, 2017. <https://www.dawn.com/news/1312772>.
- 28 Haider, Syed Zubair and Ayesha Qureshi. Are All Children Equal? Causative Factors of Child Labour in Selected Districts of South Punjab, Pakistan. *New Approaches in Educational Research*, 5 No. 1 (2016). Source on file.
- 29 The Express Tribune. 15,566 children working in 10 districts. June 24, 2016. <https://tribune.com.pk/story/1129048/15566-children-working-10-districts/>.
- 30 Nawaz, Irfan and Alia Shaheen. Situation Analysis of Child Labor in Commercial Areas of Islamabad City. February 28, 2017. Source on file.
- 31 Batool, Zahira, and Faiza Anjum. Sociological Study of Trash Picker Children in Faisalabad City, Punjab, Pakistan. *Pakistan Journal of Life & Social Science* 14, no. 1 (2016). Source on file.
- 32 Chaudhry, Hafeez-ur-Rehman, and Anwaar Mohyuddin. Begging and Human Trafficking for Sexual Exploitation in Pakistan. Quaid-i-Azam University, February 2014: Research Paper. https://www.researchgate.net/publication/260316504_Begging_and_Human_Trafficking_for_Sexual_Exploitation_in_Pakistan.
- 33 Janjua, Haroon. 'I've never been to school': child waste pickers living on Pakistan's streets. March, 20, 2018. <https://www.theguardian.com/global-development/2018/mar/20/child-waste-pickers-living-pakistan-streets>.
- 34 Society for the Protection of the Rights of the Child. Coal Mines in Balochistan. June 23, 2013. <http://www.sparcpk.org/2015/Publications/Coal-Mines-in-Balochistan.pdf>.
- 35 Aziz-Ur-Rehman, Hafiz Muhammad. Brick kiln owners warned of consequences. *The Frontier Post*, March 23, 2016. Source on file.
- 36 Pakistan Observer. Extracting Forced Labour From Workers. June 16, 2016. Source on file.
- 37 U.S. Department of State. Trafficking in Persons Report- 2018: Pakistan. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/pakistan/>.
- 38 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Pakistan (ratification: 2001) Published: 2012. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2700651.
- 39 Sahil. Cruel Numbers 2016. March 2017. <http://sahil.org/wp-content/uploads/2017/03/Cruel-numbers-Report-2016-Autosaved1-edited111.pdf>.
- 40 The Express Tribune. Sargodha child porn case April 14, 2017 <https://tribune.com.pk/story/1383017/sargodha-child-porn-case/>.

Pakistan

MODERATE ADVANCEMENT

- 41 Ali, Imtiaz. FIA arrests suspect involved in child pornography from Karachi. Dawn. November 30, 2018. <https://www.dawn.com/news/1448610>.
- 42 Daily Times. FIA arrests man for sexually molesting children and filming them. December 27, 2018. <https://dailytimes.com.pk/337843/fia-arrests-man-for-sexually-molesting-children-and-filming-them/>.
- 43 Shahid, Izah. Forced Child Beggars: Future of Pakistan in Danger. Times of Pakistan, May 23, 2014. <http://timesofpakistan.pk/opinion/2014-05-23/forced-child-beggars-future-pakistan-danger/86145/>.
- 44 U.S. Embassy- Islamabad. Reporting, January 19, 2018.
- 45 U.S. Embassy- Islamabad. Reporting, January 22, 2014.
- 46 Society for the Protection of the Rights of the Child. The State of Pakistan's Children, Child Labor. 2017. <http://www.sparcpk.org/2015/images/SOPC2017/5-Child Labour.pdf>.
- 47 Pakistan Observer. "Minister for eliminating menace of child labour from society." October 25, 2016. <http://pakobserver.net/minister-for-eliminating-menace-of-child-labour-from-society/>.
- 48 UN General Assembly. Children and Armed Conflict: Report of the Secretary-General. Geneva. May 16, 2018. :A/72/865-S/2018/465. http://www.un.org/ga/search/view_doc.asp?symbol=S/2018/465&Lang=E&Area=UNDOC.
- 49 Bari, F. Getting to School. Dawn, June 5, 2015. <http://www.dawn.com/news/1186277>.
- 50 Society for the Protection of the Rights of the Child State of Pakistan's Children: Violence Against Children 2017. <http://www.sparcpk.org/2015/images/SOPC2017/2-Violence Against Children.pdf>.
- 51 Human Rights Watch. Dreams Turned into Nightmares: Attacks on Students, Teachers, and Schools in Pakistan. March 27, 2017. <https://www.hrw.org/report/2017/03/27/dreams-turned-nightmares/attacks-students-teachers-and-schools-pakistan>.
- 52 Government of Pakistan. The Factories Act. Enacted: January 1, 1935. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/35384/64903/E97PAK01.htm>.
- 53 Government of Pakistan. West Pakistan Shops and Establishments Ordinance. Enacted: July 3, 1969. <http://www.ilo.org/dyn/travail/docs/1008/West Pakistan Shops and Establishments Ordinance 1969.pdf>.
- 54 Government of Pakistan. The Mines Act. Enacted: 1923. <http://extwprlegs1.fao.org/docs/pdf/pak64462.pdf>.
- 55 Government of Pakistan. Road Transport Workers Ordinance. 1961. <http://www.ilo.org/dyn/travail/docs/1005/Road Transport Workers Ordinance 1961.pdf>.
- 56 Government of Khyber Pakhtunkhwa Province, Pakistan. Khyber Pakhtunkhwa Prohibition of Employment Children Act. Enacted: May 2015. <http://www.pakp.gov.pk/2013/wp-content/uploads/Prohibition-of-Employment-of-Children-Bill-2015-S.pdf>.
- 57 Government of Khyber Pakhtunkhwa. The Khyber Pakhtunkhwa Factories Act. 2013. http://kp.gov.pk/uploads/2016/02/5_Factories_Act_2013_.pdf.
- 58 Government of Khyber Pakhtunkhwa. Government of Khyber Pakhtunkhwa Shops and Establishments Act. 2015. http://kp.gov.pk/uploads/2016/02/12_Shops_and_Establishments_Act_2015_.pdf.
- 59 Government of Punjab Province, Pakistan. The Punjab Prohibition of Child Labor at Brick Kilns Ordinance. Enacted: January 14, 2016. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102087/123287/F1018921745/PAK102087.pdf>.
- 60 Government of Punjab Province, Pakistan. Punjab Restriction on Employment of Children Ordinance. Enacted: July 13, 2016. <http://www.punjabcode.punjab.gov.pk/public/dr/PUNJAB RESTRICTION ON EMPLOYMENT OF CHILDREN ORDINANCE 2016.doc.pdf>.
- 61 Government of Sindh Province, Pakistan. Sindh Shops and Commercial Establishment Act. Enacted: April 29, 2016. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102142/123388/F-1352480253/PAK102142.pdf>.
- 62 Government of Sindh Province, Pakistan. Sindh Factories Act. Enacted: April 29, 2016. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102141/123387/F839757544/PAK102141.pdf>.
- 63 Government of Sindh Province, Pakistan. Sindh Prohibition of Employment of Children Act. Enacted: January 25, 2017. <http://www.pas.gov.pk/uploads/acts/Sindh Act No.III of 2017.pdf>.
- 64 Government of Pakistan. Pakistan Employment of Children Act, Act No. V of 1991. Enacted: 1991. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/22707/64834/E91PAK01.htm>.
- 65 Government of Pakistan. Bonded Labour System (Abolition) Act. Enacted: March 17, 1992. http://www.na.gov.pk/uploads/documents/1334287962_481.pdf.
- 66 Government of Pakistan. Pakistan Penal Code, XLV of 1860. Enacted: October 6, 1860. <http://www.pakistani.org/pakistan/legislation/1860/actXLVof1860.html>.
- 67 Government of Pakistan. Prevention of Trafficking in Persons Act. 2018. Source on file. http://www.na.gov.pk/uploads/documents/1532935755_919.pdf.
- 68 Government of Khyber Pakhtunkhwa Province, Pakistan. Khyber Pakhtunkhwa Bonded Labour System (Abolition) Act. Enacted: 2015. <http://www.pakp.gov.pk/2013/wp-content/uploads/Bonded-Labour-System-Abolition-ACT-2015.pdf>.
- 69 Government of Punjab. The Punjab Bonded Labor System (Abolition) (Amendment) Act. Enacted: 2012. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102096/123301/F-1719753875/PAK102096.pdf>.
- 70 Government of Sindh Province, Pakistan. Sindh Bonded Labor System (Abolition) Act. Enacted: 2016. Source on file.
- 71 Government of Pakistan. Prevention and Control of Human Trafficking Ordinance. Enacted: 2002. http://www.fmu.gov.pk/docs/laws/Prevention_and_Control_of_Human_Trafficking_Ordinance_2002.pdf.
- 72 Government of Khyber Pakhtunkhwa Province, Pakistan. Khyber Pakhtunkhwa Child Protection and Welfare Act. Enacted: 2010. <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwit2lQYnMLSAhXG6iYKHVT8CyEQFggaMAA&url=http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/92232/107301/F1592784103/PAK92232.pdf&usq=AFQjCNF6pdaxRD2E6>.
- 73 Government of Pakistan. The Criminal Law (Second Amendment) Act, amending the Pakistan Penal Code. Enacted: March 22, 2016. http://www.na.gov.pk/uploads/documents/1467011388_916.pdf.
- 74 Government of Punjab. Punjab Destitute and Neglected Children (Amendment) Act. Enacted: 2004. Source on file.
- 75 Government of Pakistan. National Service Ordinance. Enacted: 1970. <http://molaw.bizz.pk/body.php?sg=&id=32190#4>.
- 76 Government of Pakistan. The Right to Free and Compulsory Education Act, 2012, No. XXIV. Enacted: December 19, 2012. http://www.na.gov.pk/uploads/documents/1357015194_179.pdf.
- 77 Government of Balochistan Province, Pakistan. The Compulsory Education in the Province of Balochistan Act, No. 5 of 2014. Enacted: February 6, 2014. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/96221/113658/F-955909891/PAK96221.pdf>.
- 78 Government of Punjab Province, Pakistan. Punjab Free and Compulsory Education Act. Enacted: November 10, 2014. <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/99329/118490/F770068822/PAKD99329.pdf>.

- 79 Government of Sindh Province, Pakistan. The Sindh Right of Children to Free and Compulsory Education Act. Enacted: March 6, 2013. http://unesco.org.pk/education/documents/2013/rte_sindh_feb/Sindh_Act_RTFCCE.pdf.
- 80 ILO. National Labour Law Profile: Islamic Republic of Pakistan. Accessed August 1, 2019. https://www.ilo.org/ifpdial/information-resources/national-labour-law-profiles/WCMS_158916/lang--en/index.htm.
- 81 UN Committee on the Rights of the Child. List of issues in relation to the fifth periodic report of Pakistan - Addendum: Replies of Pakistan to the list of issues. Prepared by the Government of Pakistan. April 11, 2016. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/PAK/Q/5/Add.1&Lang=en.
- 82 Government of Pakistan Islamabad Capital Territory Prohibition of Employment of Children Bill 2018. http://www.senate.gov.pk/uploads/documents/1527223531_751.pdf.
- 83 U.S. Embassy- Islamabad official. Email communication to USDOL official. June 27, 2019.
- 84 Government of Punjab. The Punjab Domestic Workers Act (2019). Accessed July 12, 2019. <http://punjablaws.gov.pk/laws/2724.html>.
- 85 Government of Punjab. Labour Courts. Accessed January 18, 2019. https://www.punjab.gov.pk/provincialdepartments_labour_lc.
- 86 Government of Sindh. Labour Courts. Accessed January 18, 2019. http://sindh.gov.pk/dpt/Labour_HRM/I.courts.htm.
- 87 Child Protection & Welfare Bureau. Child Protection Unit, Government of Pakistan. 2013. https://cpwb.punjab.gov.pk/functional_unit.
- 88 Government of Sindh Province. The Sindh Child Protection Authority Act, XIV of 2011. Enacted: June 9, 2011. <http://www.pas.gov.pk/uploads/acts/Sindh Act No.XIV of 2011.pdf>.
- 89 Government of Balochistan Province, Pakistan. Balochistan Child Protection Act. Enacted: November 15, 2016. <http://pabalochistan.gov.pk/uploads/acts/2016/Act072016.pdf>.
- 90 U.S. Department of State. Trafficking in Person Report- 2019: Pakistan. Trafficking in Person Report- 2019: Pakistan. Washington, DC, June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/pakistan/>.
- 91 U.S. Embassy Islamabad official. Email communication to USDOL official. May 25, 2018.
- 92 U.S. Embassy- Islamabad. Reporting. April 12, 2019.
- 93 The News. New labour policy soon, says minister. September 5, 2018. <https://www.thenews.com.pk/print/364040-new-labour-policy-soon-says-minister>.
- 94 ILO Committee of Experts. Individual Observation concerning Forced Labour Convention, 1947 (No. 81) Pakistan (ratification: 1953) Published: 2018. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3343807.
- 95 CIA. The World Factbook. Accessed February 22, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/geos/pk.html>.
- 96 ILO. Strategies and Practice for Labour Inspection. Committee on Employment and Social Policy. November 2006: GB.297/ESP/3. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 97 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 98 ILO Committee of Experts. Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Pakistan (ratification: 1953) Published: 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3148975.
- 99 U.S. Embassy Islamabad official. Email communication to USDOL official. June 6, 2016.
- 100 U.S. Embassy- Islamabad. Reporting, January 26, 2016.
- 101 Government of Sindh. The Sindh Home-Based Workers Act 2018. <http://www.pas.gov.pk/uploads/acts/Sindh Act No.XXXVII of 2018.pdf>.
- 102 Bilal, Rana. Sargodha man handed 7-year jail term, Rs 1.2m fine in Pakistan's first-ever child pornography conviction. Dawn. April 28, 2018. <https://www.dawn.com/news/1404010/sargodha-man-handed-7-year-jail-term-rs12m-fine-in-pakistans-first-ever-child-pornography-conviction>.
- 103 U.S. Department of State. Trafficking in Person Report- 2019: Pakistan. Trafficking in Person Report- 2019: Pakistan. Washington, DC, Accessed July 12, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/pakistan/>.
- 104 Government of Punjab. The Punjab Bonded Labour System (Abolition) Amendment Act. 2018. <https://www.pap.gov.pk/bills/details/en/20/281>.
- 105 Ministry of Overseas Pakistanis & Human Resource Development. Understanding Children's Work in Pakistan: An insight into child labour data (2010-15) and legal framework. 2016. Source on file.
- 106 U.S. Embassy- Islamabad. Reporting, February 11, 2015.
- 107 U.S. Embassy- Islamabad. Reporting, February 24, 2014.
- 108 The Frontier Post. Govt appoints members of KP Child protection, Welfare Commission. November 14, 2016. Source on file.
- 109 The Express Tribune. Progress made: Children in Sindh inch closer to rights protection authority. January 21, 2014. <http://tribune.com.pk/story/661270/progress-made-children-in-sindh-inch-closer-to-rights-protection-authority/>.
- 110 Government of Pakistan. Islamabad Capital Territory Child Protection Act. 2018. http://www.na.gov.pk/uploads/documents/1528263176_639.pdf.
- 111 ILO Committee of Experts. Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Pakistan (ratification: 1957) Published: 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3137028.
- 112 Government of Sindh. Sindh Labour Policy. 2018. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/publication/wcms_647697.pdf.
- 113 ILO. Provinces Finalize Action Plans against Child Labour & Bonded Labour and Agree to improve Reporting on ILO Conventions. 2013. http://www.ilo.org/islamabad/info/public/pr/WCMS_214744/lang--en/index.htm.
- 114 Federally Administered Tribal Areas Secretariat. Child Protection Policy. 2012. <https://www.humanitarianresponse.info/system/files/documents/files/FATA Child Protection Policy.pdf>.
- 115 Government of Punjab. Punjab Labor Policy. 2015. <http://www.dgpr.punjab.gov.pk/vd/dgpr/media/policies/Punjab Labour Policy Final, 2015.pdf>.
- 116 Government of Sindh. Sindh Education Sector Plan, 2014-2018. http://www.itacec.org/document/sector_plans/Sindh Education Sector Plan.pdf.
- 117 Government of Khyber Pakhtunkhwa. Education Sector Plan. April 2012. <http://www.kpese.gov.pk/Downloads/Education Sector Plan.pdf>.

Pakistan

MODERATE ADVANCEMENT

- 118 Government of Punjab. Chief Minister's School Reforms Road Map. 2011.
<http://schoolportal.punjab.gov.pk/pdf/roadmap.pdf>.
- 119 Ministry of Education, Government of Pakistan. National Education Policy. 2009.
<http://unesco.org.pk/education/teachereducation/files/National Education Policy.pdf>.
- 120 Federal Investigation Agency, Government of Pakistan. Pakistan National Action Plan for combating Human Trafficking. Source on file.
- 121 Shahid, Shamim. Child labor policy useless without government implementation. May 21, 2018.
<https://www.pakistantoday.com.pk/2018/05/21/child-labour-policy-useless-without-govt-implementation-activist-imran-takkar/>.
- 122 Warrach, Faizan Ali. Govt launches Punjab Labour Policy today. The Nation. December 7, 2018.
<https://nation.com.pk/07-Dec-2018/govt-launches-punjab-labour-policy-today>.
- 123 Mahmood, Amjad. Punjab new labour law today. Dawn. December 7, 2018.
<https://www.dawn.com/news/1449937>.
- 124 Pakistan Bait-ul-Mal, Government of Pakistan. National Center(s) for Rehabilitation of Child Labour.
<http://pbm.gov.pk/ncrcl.html#>.
- 125 Pakistan Bait-ul-Mal, Government of Pakistan. Child Support Programme.
<http://www.pbm.gov.pk/csp.html#>.
- 126 Rafi, Y. Bringing them home: Pakistan's child deradicalisation centre offers second chance. Dawn, 2015.
<http://www.dawn.com/news/1208602>.
- 127 Government of Punjab Province. Hiring of Potential Organizations for Implementation of Non-Formal Education Component of IP Project. 2016.
http://eproc.punjab.gov.pk/BiddingDocuments/52250_Document.pdf.
- 128 Dawn. Project for Eradication of Child Labor Launched. August 26, 2016.
<http://www.dawn.com/news/1280026>.
- 129 ILO-IPEC Geneva official. Email communication to USDOL official. February 10, 2018.
- 130 U.S. Embassy Islamabad official. Email communication to USDOL official. April 16, 2015.

In 2018, Panama made a moderate advancement in efforts to eliminate the worst forms of child labor. The government drafted modifications to its hazardous work regulations, significantly increased its number of labor inspectors, and established a Regional Headquarters in Coclé to target child labor in areas outside the capital city. It also launched a national initiative to prevent violence against children, which includes the goal of eliminating child labor, and conducted a new study on child work, child labor, and the worst forms of child labor. However, children in Panama engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Although the government made meaningful efforts in all relevant areas, Panamanian law allows minors under age 16 to engage in hazardous work within training establishments, in violation of international standards. Moreover, the Labor Inspectorate lacks the authority to collect fines for labor violations, limiting its capacity to enforce laws on the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Panama engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1-10) The Ministry of Labor (MITRADEL) conducted a study on child work, child labor, and the worst forms of child labor in 2018, but the results have yet to be published. (1) Table I provides key indicators on children's work and education in Panama.

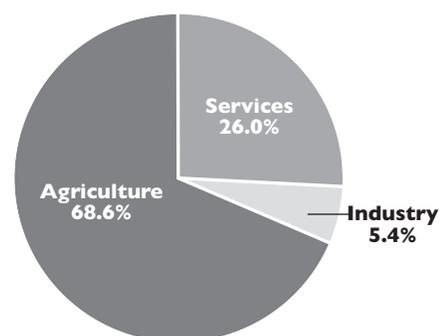
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.7 (32,858)
Attending School (%)	5 to 14	94.9
Combining Work and School (%)	7 to 14	4.9
Primary Completion Rate (%)		96.7

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2019. (11)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Trabajo Infantil (ETI), 2014. (12)

Figure I. Working Children by Sector, Ages 5-14



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 beans, cereal grains, coffee, corn, melons, oilseeds, onions, pineapple, rice, and tomatoes (6,7,9,13-20)
	Raising livestock, including cattle (2-4,6,9,21)
	Fishing,† including harvesting shellfish (2-5,9,21,22)
Industry	Construction,† including mixing cement, painting, carpentry, and welding (1,2,4,5,23)
Services	Scavenging the ocean for metal and other items (6)
	Domestic work† (2,4,5,9,20,21,24)
	Assisting bus drivers by collecting fares† (25)
	Bagging in supermarkets (6,25-27)
	Street work,† including vending,† washing cars, shining shoes,† and collecting recyclables (1,5-7,9,19,21,22,28-31)

Panama

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced domestic work (32)
	Use in the production of pornography (5,9)
	Commercial sexual exploitation, sometimes as a result of human trafficking (5,8,32)

† 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.

Children in Panama are subjected to commercial sexual exploitation, mainly in tourist areas in Panama City and in beach communities. (6,7) In 2018, cases of forced labor involving indigenous, minor females from rural, poor border areas were reported, including for forced domestic service. (10)

According to the results of Panama’s 2016 survey on child labor, the highest prevalence of child labor is in rural areas and autonomous indigenous areas, or *comarcas*. The *comarca* Ngäbe Buglé and the provinces of Panama and Bocas del Toro had the highest number of children engaged in child labor. (2)

Although the Panamanian Constitution recognizes the right to education without discrimination, indigenous children and those in rural and Afro-Panamanian communities face barriers to accessing education due to a lack of transportation, infrastructure, technology, and teachers, particularly in the *comarcas*. (1,5,9,33-35) Children of indigenous descent often travel significant distances to reach school and experience frequent interruptions in their education due to family migration to work in agriculture. (6,34,35)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Panama 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 Panama’s legal framework to adequately protect children from the worst forms of child labor, including hazardous work and light work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 70 of the Constitution; Articles 508–509 and 716 of the Family Code; Articles 117, 119, and 123 of the Labor Code (36-38)
Minimum Age for Hazardous Work	No	18	Article 510 of the Family Code; Article 203 of the Penal Code; Article 4 of Executive Decree No. 19 of 2006; Article 118 of the Labor Code (37-41)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2, 2A, and 2B of Executive Decree No. 19 of 2006; Article 118 of the Labor Code (38,40,41)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Articles 157–158, 205–208, and 456 of the Penal Code; Article 489 of the Family Code; Article 21 of the Constitution (36,37,39,42)
Prohibition of Child Trafficking	Yes		Articles 205–208 and 456 of the Penal Code; Article 489.17 of the Family Code; Article 63 of Law 79 on Human Trafficking (37,39,42)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179–187, 189–191, 202–203, 207, and 456 of the Penal Code; Article 63 of Law 79 on Human Trafficking (39,42)
Prohibition of Using Children in Illicit Activities	Yes		Articles 318, 333, and 336 of the Penal Code; Article 489.16 of the Family Code; Article 2.16 of Executive Decree No. 19 of 2006 (37,39,40)
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 448 of the Penal Code (39)
Compulsory Education Age	Yes	15	Articles 34 and 45 of the Law on Education; Article 489 of the Family Code; Article 95 of the Constitution (36,37,43,44)
Free Public Education	Yes		Articles 34 and 41 of the Law on Education; Article 95 of the Constitution (36,43,44)

† No standing military (36)

In 2018 and early 2019, MITRADEL drafted amendments to Decree Number 1 of 2016 to raise the minimum age for hazardous work, occupations, and activities to age 16 if the work is performed in a training facility, and to eliminate certain work exceptions for children ages 14 to 16. (1,45) Currently, Panama has a list of hazardous occupations prohibited for children under age 18 but it permits to perform such work in training programs starting at age 14, in violation of international standards. (41)

Although the Constitution, Family Code, and Labor Code set the minimum age for employment at age 14, the Family Code and Labor Code specify exceptions for domestic and agricultural work. (36-38) Article 716 of the Family Code permits children ages 12 to 14 to perform domestic and agricultural work as regulated by the Labor Code. (37) Article 119 of the Labor Code allows children ages 12 to 15 to perform light work in agriculture, if the work is outside regular school hours, and Article 123 allows children over the age of 12 to perform light domestic work. The Labor Code, however, does not define the kinds of tasks children may perform as light work or the total number of hours they may work. (38)

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 MITRADEL that may hinder adequate enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MITRADEL)	Enforces child labor laws through two directorates with direct authority over child labor matters: the Directorate Against Child Labor and for the Protection of Adolescent Workers (DIRETIPPAT), and the Labor Inspection Directorate. (46) The Labor Inspection Directorate enforces the Labor Code in areas in which children may be working, particularly in the formal sector. DIRETIPPAT is responsible for overseeing the enforcement of laws related to working children in the formal and informal sectors, planning and executing public policies, and carrying out education programs on child labor for employers, parents, and children. (46-49) Refers cases of children found in exploitative work to the Child and Adolescent Courts, or to the National Secretariat for Childhood, Adolescence, and Family (SENNIAF). (46)

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Attorney General's Office	Investigates and prosecutes crimes of sexual exploitation. Investigations are initiated by the Judicial Investigative Directorate; cases are passed to the prosecutors. (50)
SENNIAF	Conducts inspections to identify children and adolescents engaged in child labor, particularly in the informal sector. (4) Monitors and coordinates a network of government services to address needs of vulnerable populations. (27,46) Runs shelters for victims of human trafficking, including minors. (51)
Childhood and Adolescence Police	Assists, collaborates with, and coordinates with authorities and organizations to address the education, prevention, protection, and rehabilitation of children, including those in child labor. (52,53) Supports SENNI AF inspections in areas with high rates of child labor. (27)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Panama took actions to combat child labor (Table 6). However, gaps exist within the authority of MITRADEL that may hinder adequate labor law enforcement, including insufficient funding for operations.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$1,712,293 (9)	\$1,313,417 (1)
Number of Labor Inspectors	79 (9)	106 (1)
Inspectorate Authorized to Assess Penalties	Yes (9)	Yes (54)
Initial Training for New Labor Inspectors	Yes (9)	Yes (1)
Training on New Laws Related to Child Labor	Yes (9)	Yes (1)
Refresher Courses Provided	Yes (9)	Yes (1)
Number of Labor Inspections Conducted	1,427 (54)	938 (54)
Number Conducted at Worksite	15,331 (5)	938 (54)
Number of Child Labor Violations Found	80 (9)	14 (54)
Number of Child Labor Violations for Which Penalties Were Imposed	42 (9)	6 (54)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	6 (54)
Routine Inspections Conducted	Yes (9)	Yes (54)
Routine Inspections Targeted	Yes (9)	Yes (54)
Unannounced Inspections Permitted	Yes (9)	Yes (54)
Unannounced Inspections Conducted	Yes (9)	Yes (54)
Complaint Mechanism Exists	Yes (9)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (1)

In 2018, Panama increased its number of labor inspectors and is now in line with the ILO's technical advice. However, only six inspectors received specialized training in child labor investigations, even though all inspectors must investigate and enforce child labor laws. (1) MITRADEL identified 492 cases of adolescent and child labor, primarily in the agriculture and informal sectors, and provided education scholarships and integrated care to 1,502 minors through its Direct Action social program targeting children in at-risk communities. (1,54) The labor inspectorate conducted inspections across all 14 provinces in the agriculture, fishing, construction, and tourism industries as well as at street vending sites; 938 of these inspections were child labor related. MITRADEL officials encountered 14 child labor violations, and the Judicial Secretariat found 6 violations and will collect a total of \$4,000 in penalties. (1)

MITRADEL and the National Secretariat for Childhood, Adolescence, and Family (SENNIAF) have implemented a secure 311 Complaint Line, as well as a website and social media platforms, to receive complaints. In 2018, SENNI AF responded to 34 complaints received through these services and initiated 1 investigation into child labor in the informal sector. (1) In addition, 30 SENNI AF staff members received training on child labor laws in 2018. (1)

MITRADEL has noted that the budget for the Directorate Against Child Labor and for the Protection of Adolescent Workers was insufficient to meet its commitments for coordination, implementation, and monitoring. In addition, its budget decreased from 2017 to 2018. (1,34,55,56) Civil society groups have stated that labor inspections in Panama focus primarily on the formal sector, leaving children in the informal sector vulnerable. (7,57) Moreover, unannounced labor inspections are not conducted in agricultural areas outside Panama City or in private farms or homes. (1,6)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Panama took actions to combat child labor (Table 7). However, the government did not provide sufficient data on its criminal enforcement efforts, which limits the ability to assess the adequacy of criminal law enforcement agencies.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (9)	Yes (54)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (9)	Yes (54)
Refresher Courses Provided	Yes (9)	Yes (54)
Number of Investigations	920 (58)	333 (54)
Number of Violations Found	4 (58)	Unknown
Number of Prosecutions Initiated	4 (9)	Unknown
Number of Convictions	4 (9)	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (54)

The Government of Panama conducted 34 forced labor or sex trafficking investigations in 2018. Notably, two of those cases involved the rescue of two indigenous minors from forced labor situations. (10)

Child labor training was provided to 47 National Commission for the Prevention of Crimes of Sexual Exploitation (CONAPREDES) staff, as well as to 105 law enforcement officials, 55 prosecutors, and 21 members of the Maritime and Tourism Authorities. (1) Furthermore, in September 2018, the Trafficking in Persons Commission participated in an interagency event to combat sexual exploitation that was carried out by CONAPREDES and targeted school-age children in Panama. (10)

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 coordination among agencies.

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

Coordinating Body	Role & Description
Committee for the Eradication of Child Labor and the Protection of Adolescent Workers (CETIPPAT)	Coordinates various efforts to combat child labor. Led by the First Lady of Panama and includes MITRADEL, the Ministries of Education, Health, and Agriculture, and representatives from civil society and organizations of workers and employers. (59) Conducts a National Child Labor Survey every 2 years. (6) In 2018, CETIPPAT held 8 coordinating meetings with more than 22 representatives from the private sector, labor, NGOs, and government agencies. The meetings focused on child labor trends and reduction strategies. (1)
Subcommittee to Combat Child Labor	Coordinates the Panamanian Institute for Sports and the Ministry of Education in their efforts to address child labor and its causes. Subcommittee of CETIPPAT. (7,34,49,60) In 2018, the subcommittees were located in Chiriqui, Veraguas, Herrera, Los Santos, Coclé, and Panama Oeste. (1)
Provincial Coordination Mechanisms	Identifies and reports cases of child labor at the local level and coordinates with CETIPPAT at the national level. Established in Bocas del Toro, Colón, and Darién, the commissions as of 2018 are now also located in Panama City, Panama Oeste, Coclé, Veraguas, Herrera, and Los Santos. (1,9)

Panama

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
National Commission for the Prevention of Crimes of Sexual Exploitation (CONAPREDES)	Coordinates, advises, and implements public policies for the prevention and eradication of sexual exploitation through specific actions, projects, and programs; studies related trends and prevalence. (59) Members include the Attorney General as well as the Ministries of Labor, Education, Social Development, and Health. Refers cases of sexual exploitation to the Attorney General's Office. (59) In 2018, investigated and discovered 153 children who were used in pornography. (1)

MITRADEL has noted the need for increased coordination on efforts to address child labor, including within the Ministry of Labor, and with social service agencies and referral mechanisms. (34)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, child labor elimination and prevention strategies do not appear to have been integrated into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap Towards the Elimination of Child Labor (2016–2019)	Aims to eliminate all forms of child labor in Panama by 2020 by strengthening anti-poverty, health, and educational programs and policies. (61-63) As part of the Roadmap, in 2018, the Panamanian Government expanded labor inspector trainings, unannounced inspections, and monitoring information systems. The government also expanded investigations to the Colon, Panama Oeste and San Miguelito districts and opened a Cocle Regional Headquarters to target child labor in provinces and districts outside the capital. (1)
National Multisectoral Strategy for the Prevention of Violence against children and Adolescents, (2018–2022)†	Launched in 2018, the strategy aims to eliminate child labor and end the mistreatment, exploitation, trafficking, violence, and torture of children. The strategy was developed by the National Government through the National Intersectoral Committee for the Prevention of Violence against Children and Adolescents and SENNIAF, with technical support from UNICEF. (64,65)
National Action Plan for the Prevention and Elimination of Commercial Sexual Exploitation of Children and Adolescents	Aims to prevent and eliminate the commercial sexual exploitation of children and adolescents, including by providing services to victims, strengthening CONAPREDES, and raising awareness. Implemented by CONAPREDES, with support from the Public Ministry. (46,59,66) On November 27, 2018, CONAPREDES held a training for 25 Guatemalan officials on “Preventing child and adolescent sexual exploitation crimes” as part of the Action Plan. (67)
National Plan Against Trafficking in Persons (2012–2022)	Aims to combat human trafficking through prevention, victim assistance, and international cooperation. Includes provisions to protect child victims of human trafficking. (58,68) As part of the plan in 2018, the Government of Panama approved the Protocol for the Victim's Identification and Protection Unit to provide standard procedures to the Trafficking in Persons Commission Victim's Unit and to guarantee adequate standard of care for human trafficking victims. The Trafficking in Persons Commission also developed a training manual for members of the Victim's Identification and Protection Unit. (10)
Districts Free of Child Labor	Aims to establish cooperation agreements between MITRADEL and municipal councils to design and implement child labor eradication strategies. (9) In 2018 MITRADEL signed anti-child labor agreements with the municipalities of Copira, San Miguelito, Panama, Tonosi, Aguadulce, and Santiago. (1)

† Policy was approved during the reporting period.

The Coordination Agreement on Labor Migration between the Ministries of Labor of Costa Rica and Panama aims to strengthen dialogue on labor migration between the two countries, with an emphasis on indigenous Panamanian migrant workers, to ensure social protection of migrant workers and their families. The policy includes a bilateral technical committee to promote joint action to combat human trafficking, exchange information, and develop cooperative strategies and projects. (69) Although potentially a useful policy tool to combat child labor, child labor elimination and prevention strategies do not appear to have been integrated into this policy.

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 their ability to reach the most vulnerable populations.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, policy development, and awareness raising. These projects include Educafuturo: Combating Child Labor; a \$8.1 million, 5-year project implemented in Ecuador and Panama by Partners of the Americas; Building Effective Policies Against Child Labor; a \$4.3 million, 5-year project implemented in Ecuador and Panama by ILO; Country Level Engagement and Assistance To Reduce Child Labor (CLEAR II), implemented by Winrock International and partners Verité and Lawyers Without Borders in seven countries; and Measurement, Awareness-Raising, and Policy Engagement (MAP 16), a \$22.4 million, 6-year project implemented by ILO in several countries. (70-74) In 2018, ILO completed its study of the Panama sugar industry and held a verification workshop in November prior to publishing its findings. (75) Additional information is available on the USDOL website.
Direct Government Action Program for the Prevention and Eradication of Child Labor†	MITRADEL program implemented through the Institute for Training and Utilization of Human Resources that provides a network of social and economic services to child workers and children at risk of child labor. Services include provision of food and scholarships, support for sports activities, and social monitoring. (7,76) Under the Direct Government Action Program for the Prevention and Eradication of Child Labor, in 2018 MITRADEL conducted unannounced visits in the informal sector, investigated key risk factors that lead children to work before the legal age of employment, and informed indigenous communities about the negative consequences of child labor. (1)
Prevention and Eradication of Child Labor†	SENNIAF program that identifies children engaged in the worst forms of child labor, removes them from exploitative situations, and connects them to a network of social and economic services offered by the government. (27) In 2018, SENNI AF hosted forums in educational centers, provided study grants to 1,502 children, and conducted home wellness visits to verify that students were attending school. SENNI AF also developed a new case processing system to efficiently manage reports that reduced reporting processing times. (1)
National Council of Private Businesses Corporate Social Responsibility Program	Joint effort created by MITRADEL and the National Council of Private Businesses that involves a partnership with businesses across Panama to sign the Voluntary Agreement of Corporate Social Responsibility to prevent and eradicate child labor. (77) Research was unable to identify activities undertaken during the reporting period to implement the partnership.
Prevention and Care for Child and Adolescent Victims of Sexual Violence†	SENNIAF program that identifies children engaged in commercial sexual exploitation, removes them from exploitative situations, and provides them with social services. Conducts training workshops nationwide for professionals providing direct care to child and adolescent victims of sexual violence. (79) Research was unable to identify specific actions undertaken during the reporting period under this program.
Network of Opportunities†	Ministry of Social Development (MIDES) program that provides conditional cash transfers to families in extreme poverty, conditioned on their children's participation in health and education services and the acquisition of a birth certificate. Offers training to project participants to improve income-generating opportunities. (80) In 2018, MIDES reported that the program paid \$6,852,000 in conditional cash transfers to 45,495 individuals. (81)

† Program is funded by the Government of Panama.

Although Panama has expanded programs that reach children in rural areas and from indigenous and Afro-Panamanian communities, various reports indicate that the scope of these programs is insufficient, and these children remain vulnerable to the worst forms of child labor. (33,82,83)

Despite policy efforts, the National Anti-Trafficking Commission acknowledges that funding for and availability of services for human trafficking victims remains insufficient to address the full scope of the problem. (10) Furthermore, although child victims of trafficking are able to receive services from local NGOs, Panama lacks programs to specifically address the needs of this population. (10) Government officials have also noted that despite funds dedicated to the prevention of crimes against children, Panama lacks a specific mechanism to direct funds toward child sexual abuse victims. (84,85)

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 Panama (Table 11).

Panama

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish regulations that define the number of hours and types of activities that children between ages 12 and 14 can undertake as light work, to ensure that they are not exposed to hazardous labor.	2009 – 2018
	Ensure that the law protects children from hazardous work by establishing a minimum age of 18 for all children or by ensuring that children receive adequate training in the type of work being done and that the health, safety, and morals of the children are protected in accordance with international standards if children age 16 or 17 are allowed to perform hazardous work.	2013 – 2018
Enforcement	Collect and make available complete data on criminal enforcement efforts related to the worst forms of child labor, such as number of violations found, number of prosecutions initiated, penalties collected, and number of convictions.	2018
	Allocate sufficient funding for the Directorate Against Child Labor and for the Protection of Adolescent Workers to meet its commitments for coordination, implementation, and monitoring related to child labor.	2014 – 2018
	Ensure that labor inspectors conduct child labor inspections in the informal sector and unannounced inspections in agricultural areas outside Panama City.	2014 – 2018
	Ensure that all inspectors receive regular, specialized training on child labor issues	2018
Coordination	Increase coordination on efforts to address child labor, including within the Ministry of Labor, and with social services agencies and referral mechanisms.	2016 – 2018
	Integrate child labor elimination and prevention strategies into the Coordination Agreement on Labor Migration between the Ministries of Labor of Costa Rica and Panama.	2015 – 2018
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including children from rural areas and indigenous and Afro-Panamanian communities, by expanding existing programs, including school transportation	2014 – 2018
	Ensure that social programs to prevent and eradicate child labor, such as the partnership with the National Council of Private Businesses, are being implemented.	2018
	Establish programs and ensure sufficient funding to address the needs of human trafficking victims, including programs that provide services to child victims of human trafficking and sexual abuse.	2018

REFERENCES

- U.S. Embassy- Panama City Reporting. February 11, 2019.
- República de Panamá-Contraloría General de la República- Instituto Nacional de Estadísticas y Censo. Comentarios de la Encuesta de Trabajo Infantil (ETI) 2016. 2017. <https://www.contraloria.gob.pa/INEC/archivos/P8031Comentarios.pdf>.
- República de Panamá-Contraloría General de la República- Instituto Nacional de Estadísticas y Censo. Comentarios de la Encuesta de Trabajo Infantil (ETI) 2014. 2015. <https://www.contraloria.gob.pa/inec/archivos/P6621comentarios ETI 2014.pdf>.
- Ministerio de Trabajo y Desarrollo Laboral. Respuesta a cuestionario sobre erradicación del trabajo infantil. Submitted in response to U.S. Department of Labor Federal Register Notice (November 13, 2014) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child, January 29, 2015. Source on file.
- U.S. Embassy- Panama City. Reporting. January 23, 2017.
- U.S. Embassy- Panama City. Reporting. January 26, 2016.
- U.S. Embassy- Panama City. Reporting. January 15, 2015.
- UN Committee on the Rights of the Child. Periodic Reports of States Parties due in 2016: Panama. Prepared by Government of Panama - Ministerio de Relaciones Exteriores, Article 44 of the Convention on the Rights of the Child, 2016. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/PAN/5-6&Lang=en.
- U.S. Embassy- Panama City. Reporting. March 1, 2018.
- U.S. Embassy--Panama City. Reporting. March 1, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2018. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received January 12, 2018. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- UCW. Entendiendo el trabajo infantil y el empleo juvenil en Panamá. UCW Country Studies, 2014. Source on file.
- Lorenzo, O. Trabajadores recolectores de café están en huelga. La Estrella, January 22, 2016. <http://laestrella.com.pa/panama/nacional/trabajadores?recolectores?cafe?estan?huelga/23917520>.
- UN Food and Agriculture Organization. Romper el ciclo de la pobreza para alcanzar el desarrollo sostenible. Press Release, March 3, 2016. <http://www.fao.org/panama/noticias/detail-events/en/c/387485/>.
- Nunez, O. Realizan captaciones en fincas cafetaleras de Boquete para erradicar el trabajo. Telemetro.com, January 21, 2016. http://www.telemetro.com/nacionales/Realizan-captaciones-cafetalaras-erradicar-infantil_0_882512221.html.
- MITRADEL. Mitradel Detecta 5 Menores Trabajando en Cultivo de Sandía en Veraguas, MITRADEL. Accessed April 19, 2016. <http://www.mitradel.gob.pa/>.
- MITRADEL. En la Provincia de Coclé MITRADEL Realiza Operativos de Trabajo Infantil, MITRADEL. Accessed April 19, 2016. <http://www.mitradel.gob.pa/>.
- El Siglo. Trabajo infantil a galope. June 14, 2016. <http://elsiglo.com/panama/trabajo-infantil-galope/23945570>.

- 20 Pinilla, Ana Maria. Hasta 26 mil menores sufren explotación laboral en Panamá. *La Estrella de Panama*, February 7, 2017. <http://laestrella.com.pa/panama/nacional/hasta-26-menores-sufren-explotacion-laboral-panama/23985036>.
- 21 EducaFuturo. EducaFuturo Baseline Survey Report. Project Document Partners of the Americas, August 2014. Source on file.
- 22 Ministerio de Desarrollo Social. MIDES y organizaciones presentan resultados de proyecto sobre erradicación del trabajo infantil en Colón. January 3, 2017. <http://www.mides.gob.pa/mides-y-organizaciones-presentan-resultados-de-proyecto-sobre-erradicacion-del-trabajo-infantil-en-colon/>.
- 23 MITRADEL. Retiró MITRADEL del trabajo infantil en Colón, Government of Panama. February 26, 2013. [http://www.mitradel.gob.pa/portal/page/portal/PG_Relaciones_Publicas/88 ni??B](http://www.mitradel.gob.pa/portal/page/portal/PG_Relaciones_Publicas/88%20ni%3FB).
- 24 El Siglo. 1,976 menores hacen trabajo infantil doméstico en casas ajenas. June 15, 2016. <http://elsiglo.com/panama/1976-menores-hacen-trabajo-infantil-domestico-casas-ajenas/23945793>.
- 25 MITRADEL. MITRADEL detecta 37 menores trabajando en Chiriquí, MITRADEL. July 11, 2014. [http://www.mitradel.gob.pa/portal/page/portal/PG_Relaciones_Publicas/Operativo contra trabajo infantil](http://www.mitradel.gob.pa/portal/page/portal/PG_Relaciones_Publicas/Operativo%20contra%20trabajo%20infantil).
- 26 Quiñones, E. Incremento de casos de niños trabajando en la calle alerta a autoridades. *Panama America*, Accessed December 3, 2014. Source on file.
- 27 La Secretaria Nacional de Ninez Adolescencia y Familia. Respuesta a cuestionario sobre erradicación del trabajo infantil. Submitted in response to U.S. Department of Labor Federal Register Notice (November 13, 2014), January 29, 2015. Source on file.
- 28 Dia a Dia. Autoridades: 'para 2020 no habrá trabajo infantil'. September 6, 2016. <http://www.diaadia.com.pa/primer-plano/el-reto-de-una-infancia-feliz-en-darién-301527>.
- 29 Panama America. Coordinan operativos para disminuir el trabajo infantil en Colón. February 24, 2016. <http://www.panamaamerica.com.pa/provincias/coordinan-operativos-para-disminuir-el-trabajo-infantil-en-colon-1015095>.
- 30 MITRADEL. En el Distrito de Changuinola Funcionarios del MITRADEL Realizan Operativo de Captación de Menores, MITRADEL. Accessed April 19, 2016. <http://www.mitradel.gob.pa/>.
- 31 La Opinion. Atienden denuncia ciudadana sobre trabajo infantil. August 17, 2016. <http://laopinionpanama.com/nacional/atienden-denuncia-ciudadana-trabajo-infantil/>.
- 32 U.S. Department of State. Trafficking in Persons Report- 2018: Panama. Washington, DC. June 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/panama/>.
- 33 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Panama (ratification: 2000). Published: 2014. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0:NO:P13100_COMMENT_ID:3112823.
- 34 U.S. Embassy- Panama City. Email communication to USDOL official. April 25, 2017.
- 35 Telemetro. Educación en las comarcas [Video]. Panama: September 28, 2016, 7 min., 43 sec. Accessed May 4, 2017. http://www.telemetro.com/nacionales/reportajes/Educacion-comarcas_3_957834273.html.
- 36 Government of Panama. Constitución Política de la República de Panamá con reformas hasta 2004. Enacted 1972. <http://pdba.georgetown.edu/Constitutions/Panama/constitucion2004.pdf>.
- 37 Government of Panama. Código de la Familia, Ley No. 3. Enacted 1994. http://www.legalinfo-panama.com/legislacion/familia/codfam_index.htm.
- 38 Government of Panama. Código de Trabajo, No. 44. Enacted August 12, 1995. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/42679/67564/S95PAN01.htm>.
- 39 Government of Panama. Código Penal de la República de Panamá Adoptado por la Ley 14 de 2007, con las modificaciones y adiciones introducidas por la Ley 26 de 2008, la Ley 5 de 2009, la Ley 68 de 2009 y la Ley 14 de 2010. Enacted April 26, 2010. http://www.oas.org/juridico/mla/sp/pan/sp_pan-int-text-cp.pdf.
- 40 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, No. 25569. Enacted June 12, 2006. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/73943/75839/F1949153997/PAN73943.pdf>.
- 41 Government of Panama. Decreto Ejecutivo No. 1, amending Decreto Ejecutivo Número 19 of 2006, No. 27944-C. Enacted January 5, 2016. <http://ministeriopublico.gob.pa/wp-content/multimedia/2017/01/Decreto-Ejecutivo-No.-1-de-5-de-enero-de-2016.pdf>.
- 42 Government of Panama. Ley Número 79 Sobre Trata de Personas y Actividades Conexas, No. 79. Enacted November 9, 2011. Source on file.
- 43 Government of Panama. Ley Orgánica de Educación. Enacted September 24, 1946. http://www.oei.es/quipu/panama/Ley_Org_Educ.pdf.
- 44 Government of Panama. Ley 34 por la cual se deroga, modifican, adicionan y subrogan artículos de la ley 47 de 1946. Enacted July 6, 1995. <http://docs.panama.justia.com/federales/leyes/34-de-1995-jul-11-1995.pdf>.
- 45 Government of Panama. Draft Modifications to Executive Decree Number 1 of January 5, 2016. 2018. Source on file.
- 46 U.S. Embassy- Panama City. Reporting. January 23, 2014.
- 47 Government of Panama. Decreto DM57-2010- POR LA CUAL SE CREA DENTRO DE LA ESTRUCTURA ORGÁNICA DEL MINISTERIO DE TRABAJO Y DESARROLLO LABORAL LA DIRECCIÓN NACIONAL CONTRA EL TRABAJO INFANTIL Y PROTECCIÓN DE LA PERSONA ADOLESCENTE TRABAJADORA, No. DM57-2010. Enacted February 23, 2010. https://www.gacetaoficial.gob.pa/pdfTemp/26481_C/GacetaNo_26481c_20100303.pdf.
- 48 Ministerio de Trabajo y Desarrollo Laboral. Dirección nacional contra el trabajo infantil y protección de la persona adolescente trabajadora, Ministerio de Trabajo y Desarrollo Laboral. Accessed February 9, 2016. <http://www.mitradel.gob.pa/>.
- 49 U.S. Embassy- Panama City. Email communication to USDOL official. May 6, 2015.
- 50 U.S. Embassy- Panama City. Email communication to USDOL official. March 10, 2014.
- 51 U.S. Embassy- Panama City. Reporting. January 27, 2016.
- 52 Panama National Police. Childhood and Adolescence Police Celebrate Their 23rd Anniversary June 12, 2017. <http://www.policia.gob.pa/15218-polica-de-niez-y-adolescencia-celebra-su-xxiii-aniversario.html>.
- 53 Panama National Police. National Police are Part of the Campaign Against Child Labor. May 27, 2016. <http://www.policia.gob.pa/13167-la-polica-nacional-es-parte-la-campaa-contra-el-trabajo-infantil.html>.
- 54 U.S. Embassy- Panama City. Email communication to USDOL official. July 10, 2019.
- 55 Defensoria del Pueblo. OBSERVATORIO DE LOS DERECHOS DE LA NIÑEZ Y ADOLESCENCIA. April 11, 2017. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT/CRC/NGO/PAN/27159&Lang=en.

MODERATE ADVANCEMENT

- 56 ILO Committee of Experts. Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Panama (ratification: 1958). Published: 2017.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3295571.
- 57 U.S. Department of State. Country Reports on Human Rights Practices-2016: Panama. Washington, DC, March 3, 2017.
<https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/panama/>.
- 58 U.S. Embassy- Panama City. Email communication to USDOL official. June 14, 2018.
- 59 Government of Panama. Plan Nacional De Erradicación Del Trabajo Infantil Y Protección De Las Personas Adolescentes Trabajadoras 2007 – 2011. Panama City, Comité para la Erradicación de trabajo Infantil y la Protección del Trabajador Adolescente (CETIPPAT), June 2006.
http://www.contraloria.gob.pa/inec/aplicaciones/Cetippat/informes/planNal_2007-2011.pdf.
- 60 MITRADEL. Mitradel crea sub comisión contra el trabajo infantil en Bocas del Toro, MITRADEL. Accessed December 5, 2014.
[http://www.mitradel.gob.pa/portal/page/portal/Pg_Relaciones_Publicas/Mitradel crea Sub comisión Contra](http://www.mitradel.gob.pa/portal/page/portal/Pg_Relaciones_Publicas/Mitradel%20crea%20sub%20comisi%C3%B3n%20contra%20el%20trabajo%20infantil%20en%20Bocas%20del%20Toro).
- 61 MITRADEL. Presentan hoja de ruta para erradicar el trabajo infantil en Panamá, MITRADEL. Accessed November 17, 2015.
<http://www.mitradel.gob.pa/>.
- 62 CETIPPAT. Hoja de ruta para hacer de Panamá un país libre de trabajo infantil y sus peores formas: Programación 2015. 2015. Source on file.
- 63 CETIPPAT. Hoja de ruta para hacer de Panamá un país libre de trabajo infantil y sus peores formas: Programación 2016-2019. 2015. Source on file.
- 64 Gonzalez, Nimay. Presentan Estrategia Nacional para la Prevencion de la Violencia contra los Ninos, Ninas, y Adolescentes. Telemetro July 24, 2018.
http://www.telemetro.com/nacionales/Presentan-Estrategia-Prevencion-Violencia-Adolescentes_0_1156984653.html.
- 65 UNICEF. Estrategia Nacional Multisectorial de Prevencion de la Violencia Contra Ninos, Ninas, Y Adolescentes 2018-2022 y Plan de Accion 2018-2019. 2018.
https://www.unicef.org/panama/spanish/EstrategiaPVNNA_infografica.pdf.
- 66 Government of Panama. Plan nacional para la prevención y eliminación de la explotación sexual comercial de niños, niñas y adolescentes, 2008-2010. Panama, Comisión Nacional para la Prevención de los Delitos de Explotación Sexual (CONAPREDES), 2008.
http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_9670/lang-es/index.htm.
- 67 Government of Panama. CONAPREDES Realiza Jornada de Prevencion en Juan Dias. December 6, 2018.
<http://ministeriopublico.gob.pa/conapredes-realiza-jornada-de-prevencion-en-juan-diaz/>.
- 68 Government of Panama. Plan Nacional contra la Trata de Personas (2012 - 2017). 2012.
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/90928/105157/F-1007537726/PAN90928.pdf>.
- 69 Ministerio de Trabajo y Seguridad Social de la República de Costa Rica y Ministerio de Trabajo y Desarrollo Laboral de la República de Panamá. Acuerdo relativo al mecanismo de coordinación para flujos migratorios con fines de empleo y ocupación entre el Ministerio de Trabajo y Seguridad Social de la República de Costa Rica y el Ministerio de Trabajo y Desarrollo Laboral de la República de Panamá. September 17, 2015. Source on file.
- 70 ILO-IPEC. Building effective policies against child labor in Ecuador and Panama. October 2014: Technical Progress Report. Source on file.
- 71 USDOL. Building effective policies against child labor in Ecuador and Panama. Washington, DC. 2012.
https://www.dol.gov/ilab/projects/summaries/RegionalPanamaEcuador_Policy.pdf.
- 72 USDOL. EDUCAFUTURO: project to combat child labor among vulnerable populations in Ecuador and Panama by providing direct education and livelihood services. Project Summary. Washington, DC, 2012.
https://www.dol.gov/ilab/projects/summaries/RegionalPanamaEcuador_Educafuturo.pdf.
- 73 USDOL. CLEAR II Technical Progress Report. April 30, 2018. Source on file.
- 74 U.S. Department of Labor: Measurement, Awareness-Raising, and Policy Engagement (MAP I6) Project on Child Labor and Forced Labor.
<https://www.dol.gov/agencies/ilab/projects/MAPI6>.
- 75 U.S. Department of Labor: The Measurement, Awareness Raising, and Policy Engagement Project to Accelerate Action against Child Labor and Forced Labor Technical Progress Report. March 6, 2018. Source on file.
- 76 MITRADEL. Programa de acción directa gubernamental para la prevención y erradicación del trabajo infantil [PowerPoint Presentation]. Accessed February 1, 2013.
http://www.mitradel.gob.pa/portal/page/portal/PGMITRADEL/Asuntos_Laborales/RELATORIA.
- 77 Consejo Nacional de la Empresa Privada. CONEP y MITRADEL Firman Alianza Publico Privada Contra el Trabajo Infantil. April 5, 2016.
<http://www.conep.org.pa/eventos-y-noticias/conep-y-mitradel-firman-alianza-publico-privada-contra-el-trabajo-infantil/>.
- 78 MITRADEL. MITRADEL Y fundación Telefonica S. Afirmar positivo acuerdo MITRADEL. Accessed December 10, 2014.
http://www.mitradel.gob.pa/portal/page/portal/Pg_Relaciones_Publicas/PARA_ERRADICAR_EL_TRABAJO_INFANTILI.
- 79 Secretaría Nacional de Niñez, Adolescencia y Familia. Violencia Sexual: Prevención y atención a niñas, niños y adolescentes víctimas de violencia sexual. Government of Panama, Accessed May 30, 2019.
<https://www.senniaf.gob.pa/programas/violencia-sexual/>.
- 80 Ministerio de Desarrollo Social. Red de Oportunidades. Government of Panama, Accessed February 9, 2016.
http://www.mides.gob.pa/?page_id=555.
- 81 Samaniego, Aleida C. Mides: \$485 millones en subsidios en cuatro años. La Prensa. December 31, 2018.
https://impresia.prensa.com/panorama/Mides-millones-subsidios-anos_0_5202979701.html.
- 82 U.S. Department of State. Trafficking in Persons Report- 2014: Panama. Washington, DC. June 20, 2014.
<http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.
- 83 Partners of the Americas. EducaFuturo: Project to Combat Child Labor among Vulnerable Populations in Ecuador and Panama by Providing Direct Education And Livelihood Services. October 2017: Technical Progress Report. Source on file.
- 84 Rodriguez, Olmedo. Crece el numero de menores abusados en Panama. La Prensa. March 31, 2018.
https://impresia.prensa.com/panorama/Crece-numero-menores-abusados_0_4996750354.html.
- 85 Rodriguez, Olemdo. Abuso sexual a menores, en aumento. La Prensa. November 4, 2018.
https://impresia.prensa.com/panorama/Abuso-sexual-menores-aumento_0_5160233979.html.

In 2018, Papua New Guinea made a minimal advancement in efforts to eliminate the worst forms of child labor. The Department of Community Development, Youth, and Religion distributed the first Child Care Center licenses, which are centers that provide a safe location for children removed by Child Protection Officers from situations deemed to be harmful to their health and safety. However, children in Papua New Guinea engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in mining. Papua New Guinea's laws do not specifically define the hazardous occupations and activities prohibited for children, nor do they prohibit using, procuring, or offering a child for illicit activities, including for the production and trafficking of drugs. Furthermore, insufficient resources hamper the labor inspectorate's capacity to enforce child labor laws.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Papua New Guinea engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) Children also perform dangerous tasks in mining. (3,4) Table 1 provides key indicators on children's work and education in Papua New Guinea. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		79.3

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (5)
Data were unavailable from International Labor Organization's analysis, 2019. (6)

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	Working on tea, coffee, and palm oil plantations (7)
	Deep sea fishing, including harvesting sea cucumbers and pearls (4)
Industry	Mining, including gold mining (3,4)
Services	Domestic work (1,7)
	Street work, including scavenging for recyclables, begging, directing traffic, and sometimes directing traffic while begging (3,4,8)
	Working in markets, including unloading and carrying heavy bags of food (9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including working in bars, nightclubs, and brothels, and use in the production of pornography, each sometimes as a result of human trafficking (1,2)
	Forced domestic work (1,2)
	Illicit activities, including selling drugs (3,4,10)

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

In Papua New Guinea, children are engaged in commercial sexual exploitation. (1,2) Some children from rural areas are sent to live with relatives or "host" families in cities, where they may be forced to perform domestic work to pay off family debts. (1-3)

Papua New Guinea

MINIMAL ADVANCEMENT

Research found that the threat of gender-based violence prevents many girls from attending school. (11) Children are commonly seen directing vehicle movements in and out of public parking spaces and directing traffic in busy urban business centers, especially during business hours. (4,12) Children also perform dangerous tasks in mining, for which they lack appropriate training and equipment, and in handling dangerous chemicals, including mercury used in gold mining. (4) Although the government has established a free education policy, in practice many schools charge fees for books, uniforms, and supplies. (13-15,16) The Tuition Fee-Free policy provides government subsidies to primary and secondary schools to cover the costs associated with accommodating additional children in school. However, some schools report not receiving the subsidy, and some have closed as a result. Lack of access to schools increases children's vulnerability to child labor. (4,17)

II. Legal Framework for Child Labor

Papua New Guinea has ratified some 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 Papua New Guinea's legal framework to adequately protect children from the worst forms of child labor, including the identification of hazardous occupations or activities prohibited for children and the prohibition of commercial sexual exploitation of children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 103 of the Employment Act (18)
Minimum Age for Hazardous Work	Yes	18	Article 54 of the <i>Lukautim Pikinini Act</i> (19)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 43 of the Constitution of the Independent State of Papua New Guinea; Section 208 of the Criminal Code (20,21)
Prohibition of Child Trafficking	Yes		Section 208 of the Criminal Code (21)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 229J–229O and 229R–229T of the Criminal Code (22)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	16	Section 30 of the Defence Act (23)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No		
Free Public Education	No		

* No conscription (24)

According to the Employment Act, children ages 11 through 16 may be allowed to work under certain conditions. The minimum age of 11 for light work is not in compliance with international standards, and the law does not specify the types of activities in which light work is permitted nor the number of hours per week that this work may be undertaken. (18,25) Papua New Guinea also does not have laws that prohibit using, procuring, or offering a child for illicit activities, including for the production and trafficking of drugs. (26) The law does not sufficiently protect children from commercial sexual exploitation, as using, procuring, and offering a child for pornographic performances are not criminally prohibited. (22)

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 Department of Labor and Industrial Relations that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor and Industrial Relations	Implements and enforces child labor laws. (27)
Department of Community Development, Youth, and Religion	Implements and oversees the Child Protection (<i>Lukautim Pikinini</i>) Act. (28) The Office of Child and Family Services enforces the <i>Lukautim Pikinini</i> Act, including provisions on child labor and its worst forms. (4, 12, 28)
Royal Papua New Guinea Constabulary	Enforces laws against commercial sexual exploitation of children and the use of children in illicit activities. (4) Includes the specialized Family and Sexual Violence unit, which includes protecting children's rights and safety. (4)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Papua New Guinea took actions to combat child labor (Table 6). However, gaps exist within the operations of the Department of Labor and Industrial Relations that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (3)	Unknown (4)
Number of Labor Inspectors	43 (3)	Unknown (4)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (4)
Initial Training for New Labor Inspectors	No (3)	Unknown (4)
Training on New Laws Related to Child Labor	N/A	Unknown (4)
Refresher Courses Provided	Unknown (3)	Unknown (4)
Number of Labor Inspections Conducted	Unknown (3)	Unknown (4)
Number Conducted at Worksite	Unknown (3)	Unknown (4)
Number of Child Labor Violations Found	Unknown (3)	Unknown (4)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (3)	Unknown (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (3)	Unknown (4)
Routine Inspections Conducted	Unknown (3)	Unknown (4)
Routine Inspections Targeted	Unknown (3)	Unknown (4)
Unannounced Inspections Permitted	Yes (3)	Yes (4)
Unannounced Inspections Conducted	Yes (3)	Yes (4)
Complaint Mechanism Exists	Yes (3)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (29)	Unknown (4)

The Government of Papua New Guinea did not respond to requests for information related to labor law enforcement efforts. Labor inspectors sometimes carry out routine inspections in hazardous workplaces or in the manufacturing sector; however, due to limited personnel capacity, labor inspectors generally respond

Papua New Guinea

MINIMAL ADVANCEMENT

to specific child labor complaints on a case-by-case basis. (4,7,30,31) Insufficient resources hamper the labor inspectorate’s capacity to enforce child labor laws, including administrative and budgetary constraints that prevented officers from receiving sufficient training. (3,4,32) The number of labor inspectors is likely insufficient for the size of Papua New Guinea’s workforce, which includes approximately 3.68 million workers. According to the ILO’s technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Papua New Guinea would employ about 245 labor inspectors. (24,33)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Papua New Guinea took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (3)	Unknown (4)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (3)	Unknown (4)
Refresher Courses Provided	Unknown (3)	Unknown (4)
Number of Investigations	Unknown (3)	Unknown (4)
Number of Violations Found	Unknown (3)	Unknown (4)
Number of Prosecutions Initiated	Unknown (3)	Unknown (4)
Number of Convictions	Unknown (3)	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (3)	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (3)	Unknown (4)

The Government of Papua New Guinea did not respond to requests for information related to criminal law enforcement efforts related to child labor. However, in 2018, the Department of Community Development, Youth, and Religion commenced ongoing Child Protection Officer trainings that clarified their roles—including preventing and responding to child sexual exploitation—under the *Lukautim Pikinini* Act. (4,19,34) The government also referred two child victims of commercial sexual exploitation as a result of human trafficking to care facilities for assistance. (35)

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 efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
National Anti-Human Trafficking Committee	Coordinates efforts to combat human trafficking. Chaired by the Department of Justice and the Attorney General, with representatives from more than 15 government agencies, NGOs, and international organizations. (34-36) Research was unable to determine activities undertaken by the National Anti-Human Trafficking Committee during the reporting year.

In 2018, the Department of Justice and the Attorney General trained 80 law enforcement officials and conducted a workshop for 32 judges on anti-human trafficking policies. However, research was unable to determine whether these trainings and workshops included child labor elimination components, including components on eliminating the worst forms of child labor. (35) Furthermore, it is reported that there is a lack of senior governmental leadership and participation at the National Anti-Human Trafficking Committee meetings. (35)

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 policy implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Eliminate Child Labor in Papua New Guinea (2017–2020)	Promotes government coordination efforts to eliminate the worst forms of child labor through more effective prevention, protection, rehabilitation, and reintegration measures and capacity building. (3,37) The government reported no activities undertaken by the National Action Plan to Eliminate Child Labor in Papua New Guinea during the reporting year. (4)
Papua New Guinea Trafficking in Persons National Action Plan (2015–2020)	Seeks to prevent human trafficking, protect victims, and prosecute offenders. (38) Research was unable to determine activities undertaken by the Papua New Guinea Trafficking in Persons National Action Plan during the reporting year as it did not report on efforts undertaken to identify child trafficking victims. (2)
Universal Basic Education Plan (2010–2019)	Promotes enrollment of children in school and aims to improve retention rates to ensure that children receive 9 years of basic education. (39,14) Research was unable to determine activities undertaken by the Universal Basic Education Plan during the reporting year.
Tuition Fee-Free Policy	Aims to improve access to education by abolishing school tuition fees and providing subsidies to cover costs for primary and secondary school children who cannot afford an education. (4,30,15,40) Research was unable to determine activities undertaken by the Tuition Fee-Free Policy during the reporting year.

In 2018, the government did not implement any National Action Plan to Eliminate Child Labor-related programs due to a lack of effective administrative planning and a lack of human and financial resources. (12) Research was unable to determine whether the Universal Basic Education Plan integrated child labor elimination and prevention strategies. (41)

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
Urban Youth Employment Project (2011–2018)†	Government and World Bank-funded project that provides youth with training, temporary jobs, and skills development through apprenticeship projects. (42) Research was unable to determine activities undertaken by the Urban Youth Employment Project during the reporting year.
I-Tok Kaunselin Helpim Lain†	Telephone hotline funded by the Government of Papua New Guinea to report child welfare concerns and physical or sexual violence. (43) In 2018, this hotline was not in service due to a lack of funding and human resources. (35)
Child Care Centers†	Centers that provide a safe location for children removed by Child Protection Officers from situations deemed to be harmful to their health and safety. In 2018, the Department of Community Development, Youth, and Religion distributed the first Child Care Center licenses. (4,12,19)

† Program is funded by the Government of Papua New Guinea.

Research was unable to determine whether the government carried out programs specifically designed to assist children engaged in commercial sexual exploitation, domestic work, or mining. Neither the Government of Papua New Guinea nor NGOs funded specific human trafficking victim services. (35,2,44) While *I-Tok Kaunselin Helpim Lain* was inoperable during the reporting year, the International Organization for Migration maintained a hotline that also provided anti-human trafficking information and resources. (35,45)

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 Papua New Guinea (Table 11).

Papua New Guinea

MINIMAL ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict.	2018
	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2014 – 2018
	Ratify the Palermo Protocol on Trafficking in Persons.	2014 – 2018
	Raise the minimum age for light work to 13 to comply with international standards, and ensure that the law's light work provisions are sufficiently specific to prevent children from involvement in child labor.	2015 – 2018
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2009 – 2018
	Ensure that the law criminally prohibits using, procuring, and offering a child for illicit activities, including for the production and trafficking of drugs.	2014 – 2018
	Ensure that the law criminally prohibits using, procuring, and offering a child for pornographic performances.	2016 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Ensure that the law establishes a compulsory education age that is equal to the minimum age for employment.	2009 – 2018
Enforcement	Publish information on child labor law enforcement efforts undertaken, including labor inspectorate funding, the number of child labor violations found, and the number of child labor penalties imposed.	2014 – 2018
	Strengthen the inspection system by ensuring that inspectors conduct routine or targeted inspections in addition to those that are complaint-driven.	2014 – 2018
	Provide inspectors with the resources necessary to enforce labor laws and other laws that protect children from the worst forms of child labor.	2009 – 2018
	Establish a referral mechanism between labor and criminal law enforcement authorities and social services agencies to ensure that victims of child labor receive appropriate support services.	2014 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2017 – 2018
	Institutionalize and fully fund training for labor and criminal inspectors on the worst forms of child labor, including training for new labor inspectors at the beginning of their employment.	2016 – 2018
	Publish information on the number of criminal law enforcement efforts undertaken, including the number of child labor investigations initiated, the number of child labor penalties imposed, and the number of criminal law enforcement convictions secured.	2017 – 2018
Coordination	Establish coordinating mechanisms to combat all forms of child labor, including the worst forms of child labor.	2009 – 2018
	Publish anti-child labor activities undertaken by government coordinating mechanisms.	2018
	Ensure that there is senior governmental leadership and participation at the National Anti-Human Trafficking Committee meetings.	2018
Government Policies	Fully fund, implement, and publish information about activities undertaken by the National Action Plan to Eliminate Child Labor in Papua New Guinea.	2017 – 2018
	Publish activities undertaken by the Papua New Guinea Trafficking in Persons National Action Plan.	2018
	Integrate child labor elimination and prevention strategies in the Universal Basic Education Plan.	2013 – 2018
	Publish activities undertaken by the Universal Basic Education Plan.	2018
	Fully fund and publish activities undertaken by the Tuition Fee-Free Policy, and fully reimburse schools for the added costs of accommodating additional students.	2018
Social Programs	Increase access to education by instituting programs to address gender-based violence against girls in schools and fully eliminating school-related fees.	2014 – 2018
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2018
	Institute programs that assist children engaged in the worst forms of child labor in all relevant sectors, especially commercial sexual exploitation, domestic work, and mining.	2010 – 2018
	Fully fund and reopen <i>I-Tok Kaunselin Helpim Lain</i> .	2018
	Implement and fully fund human trafficking victim services, including services dedicated to the worst forms of child labor.	2018
	Publish activities undertaken by the Urban Youth Employment Project to address child labor.	2018

REFERENCES

- 1 ILO Committee of Experts. Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Papua New Guinea (ratification: 2000). Published: 2014.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3143396:NO.
- 2 U.S. Department of State. Trafficking in Persons Report- 2019: Papua New Guinea. Trafficking in Persons Report- 2019: Papua New Guinea. Washington, DC, June 24, 2019.
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/papua-new-guinea/>.
- 3 U.S. Embassy- Port Moresby. Reporting. January 16, 2018.
- 4 U.S. Embassy- Port Moresby. Reporting. January 31, 2019.
- 5 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
<http://data.uis.unesco.org/>.
- 6 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March, 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 7 U.S. Embassy- Port Moresby. Reporting. January 22, 2016.
- 8 Tahana, Jamie. Number of children living on PNG streets increasing. Radio New Zealand International, February 28, 2015.
<http://www.radionz.co.nz/international/pacific-news/267390/number-of-children-living-on-png-streets-increasing>.
- 9 U.S. Department of State. Trafficking in Persons Report- 2017: Papua New Guinea. Washington, DC: June 27, 2017.
<https://www.state.gov/reports/2017-trafficking-in-persons-report/papua-new-guinea/>.
- 10 Radio New Zealand. Plan to eliminate child labour launched in PNG. March 22, 2017.
<https://www.radionz.co.nz/international/pacific-news/327186/plan-to-eliminate-child-labour-launched-in-png>.
- 11 UN Human Rights Council. Summary Prepared by the Office of the United Nations High Commissioner for Human Rights in Accordance with Paragraph 15 (c) of the Annex to Human Rights Council Resolution 5/1 and Paragraph 5 of the Annex to Council Resolution 16/21: Papua New Guinea. February 3, 2016: Report No. A/HRC/WG.6/25/PNG/3.
<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/017/50/PDF/G1601750.pdf?OpenElement>.
- 12 U.S. Embassy- Port Moresby official. Email communication to USDOL official. February 8, 2019.
- 13 Salmang, Grace Auka and Lynette Kil. Education Secretary Warns Schools Not to Charge Fees. Pacific Islands Report, 2017.
<http://www.pireport.org/articles/2017/01/30/papua-new-guinea-education-secretary-warns-schools-not-charge-fees>.
- 14 Ministry of Education National Executive Council. Achieving Universal Education for a Better Future: Universal Basic Education Plan 2010–2019. January 1, 2010.
<https://www.globalpartnership.org/content/papua-new-guinea-universal-basic-education-plan-2010-2019>.
- 15 Department of Education. TFF Introduction. Government of Papua New Guinea. February 2014.
<http://www.educationpng.gov.pg/TFF/index.html>.
- 16 U.S. Embassy- Port Moresby official. Email communication to USDOL official. May 21, 2014.
- 17 Waide, Scott. TFF Uncertainty Makes School Planning Difficult. EMTV. February 20, 2017.
<https://emtv.com.pg/rural-schools-forced-into-debt-due-to-tff-funding-uncertainty/>.
- 18 Government of Papua New Guinea. Employment Act. Enacted: 1978.
[http://www.ilo.org/dyn/travail/docs/1097/Employment Act 1978.pdf](http://www.ilo.org/dyn/travail/docs/1097/Employment%20Act%201978.pdf).
- 19 Government of Papua New Guinea. Lukautim Pikinini Act 2015. Enacted: March 11, 2016. Source on file.
- 20 Government of Papua New Guinea. Constitution of the Independent State of Papua New Guinea. Enacted: 1975.
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/44016/70625/F868019216/PNG44016.pdf>.
- 21 Government of Papua New Guinea. Criminal Code Amendment Act of 2013, amending Criminal Code of 1974, No. 30. Enacted: July 4, 2014.
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/98690/117506/F334954182/PNG98690.pdf>.
- 22 Government of Papua New Guinea. Criminal Code Act 1974, No. 262 of 9999. Enacted: 2002.
http://www.paclii.org/pg/legis/consol_act/cca1974115/.
- 23 Government of Papua New Guinea. Defence Act. Enacted: 1974.
http://www.adh-geneve.ch/RULAC/pdf_state/PNG-Defence-Act-da197456.pdf.
- 24 CIA. The World Factbook. Accessed February 28, 2019. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
<https://www.cia.gov/library/publications/the-world-factbook/geos/pp.html>.
- 25 ILO Committee of Experts. Observation concerning Minimum Age Convention, 1973 (No. 138) Papua New Guinea (ratification: 2000). Published: 2017.
http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:PI3100_COMMENT_ID:3294217.
- 26 ILO CEACR. Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Papua New Guinea (ratification: 2000). Published: 2018.
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3963509.
- 27 U.S. Embassy- Port Moresby. Reporting. January 16, 2014.
- 28 U.S. Embassy- Port Moresby official. Email communication to USDOL official May 19, 2019.
- 29 U.S. Embassy- Port Moresby. Reporting. January 19, 2017.
- 30 U.S. Embassy- Port Moresby. Reporting. December 28, 2014.
- 31 U.S. Embassy- Port Moresby official. Email communication to USDOL official. February 17, 2017.
- 32 ILO Committee of Experts. Observation concerning Worst forms of Child Labor Convention, 1999 (No. 182) Papua New Guinea, ratification: 2000. Published: 2017.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3294400.
- 33 United Nations. World Economic Situation and Prospects. 2018.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/WESP2018_Full_Web-1.pdf.
- 34 U.S. Embassy- Port Moresby. Reporting. February 4, 2015.
- 35 U.S. Embassy- Port Moresby. Reporting. February 27, 2019.
- 36 U.S. Embassy- Port Moresby. Reporting. January 21, 2014.
- 37 Department of Labour and Industrial Relations. National Action Plan to Eliminate Child Labour in Papua New Guinea 2017–2020. January 2017. Source on file.
- 38 Government of Papua New Guinea. Papua New Guinea Trafficking in Persons National Action Plan. October 2016. Source on file.
- 39 Government of Papua New Guinea. Universal Basic Education Plan 2010–2019. 2009.
<http://www.education.gov.pg/quicklinks/documents/ube-plan-2010-2019.pdf>.
- 40 Government of Papua New Guinea. Medium Term Development Plan 2 2016–2017: Pathway to a Responsible Sustainable Future. 2015.
<http://www.planning.gov.pg/images/dnmp/pdf/MTDP2.pdf>.

Papua New Guinea

MINIMAL ADVANCEMENT

- 41 U.S. Embassy- Port Moresby official. Email communication to USDOL official. June 17, 2018.
- 42 World Bank. Disclosable Version of the ISR - Urban Youth Employment Project - PI I4042 - Sequence No. 14. December 12, 2018.
<http://documents.worldbank.org/curated/en/498191544635391065/pdf/Disclosable-Version-of-the-ISR-Urban-Youth-Employment-Project-PI-I4042-Sequence-No-14.pdf>.
- 43 Post-Courier. Telephone Counseling Saving Lives. August 19, 2017.
<https://postcourier.com.pg/telephone-counseling-saving-lives/>.
- 44 U.S. Embassy- Port Moresby. Email communication with a USDOL Official. July 5, 2019.
- 45 International Organization for Migration- Papua New Guinea. Brochures. Accessed March 3, 2019.
<https://png.iom.int/resources/brochures-0>.

In 2018, Paraguay made a significant advancement in efforts to eliminate the worst forms of child labor. Recently elected President Mario Abdo Benitez and the Paraguayan Congress upgraded the Secretariat of Adolescents and Children to a full ministry-level body, which allows greater access to high-level political decisions and its own budget. The Ministry of Labor, Employment and Social Security also opened a new regional office in Filadelfia (Chaco region), and the Ministry of Women’s Affairs conducted training on human trafficking and avoiding victimization for 1,500 individuals in at-risk communities and high-risk industries. In addition, the National Commission to Prevent and Eradicate the Exploitation of Children updated its action plan for the 2018–2020 period and the government updated the National Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents for the 2018–2023 period. However, children in Paraguay are engaged in the worst forms of child labor, including in debt bondage in cattle raising, as well as domestic servitude, sometimes as a result of human trafficking. Limited funding for law enforcement agencies and social programs hampered the government’s ability to fully address the worst forms of child labor, particularly in rural areas.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Paraguay engage in the worst forms of child labor, including in cattle raising and domestic servitude, sometimes as a result of human trafficking. (1-3) The 2011 National Survey of Child and Adolescent Activities found that 21 percent of all Paraguayan children were engaged in hazardous work. (4) The 2015 Survey of Activities of Rural Area Children and Adolescents, published in 2016, identified 384,677 children engaged in child labor in agriculture. (1) Table 1 provides key indicators on children’s work and education in Paraguay.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	8.2 (56,492)
Attending School (%)	5 to 14	94.8
Combining Work and School (%)	10 to 14	7.1
Primary Completion Rate (%)		89.1

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2019. (5)

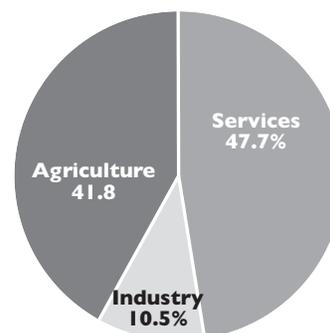
Source for all other data: International Labor Organization’s analysis of statistics from Encuesta Permanente de Hogares, 2016. (6)

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 manioc/cassava, corn, beans, peanuts, peppers, sesame, sugarcane, tomatoes, lettuce, melons, sweet potato, onions, carrots, cabbages, yerba mate (stimulant plant), and charcoal (1,7-12)
	Raising poultry, hogs, cattle,† sheep, and goats and producing milk (4,9,10)
	Fishing, including using hooks and harpoons,† preparing bait, and cleaning fish† (1)

Figure 1. Working Children by Sector, Ages 10-14



Paraguay

SIGNIFICANT ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Construction, activities unknown, and production of bricks (3,4,7,8,10)
	Limestone quarrying† and gold mining† (3,4,7,8,10,13)
Services	Domestic work† (3,4,10,14-20)
	Street work,† including vending, shoe shining, and begging (2-4,7,8,20,21)
	Horse jockeying (7,20)
	Garbage dump scavenging† (4,22,23)
Categorical Worst Forms of Child Labor‡	Debt bondage in cattle raising, dairy farms, and charcoal factories (3,7,8,24,25)
	Commercial sexual exploitation and domestic servitude, each sometimes as a result of human trafficking (2,3,7,15,22,25,26)
	Use in the production of child pornography (3,7,8,27-30)
	Use in illicit activities, including drug smuggling and drug trafficking (3,7,8,22)

† 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.

Criadazgo, a practice in which middle-class and wealthy families informally employ and house child domestic workers from impoverished families, is pervasive in Paraguay; the 2011 National Survey of Child and Adolescent Activities estimated that more than 46,000 children were engaged in *criadazgo*. Many of these children are in situations of domestic servitude, subjected to violence and abuse, and highly vulnerable to sex trafficking. (2,4,11,17,30,31) Children are subjected to commercial sexual exploitation in Ciudad del Este; in the Tri-Border area between Paraguay, Argentina and Brazil; and along commercial shipping routes on the Paraguay River. (3,7,25,31) Children work alongside their parents in debt bondage on cattle ranches, dairy farms, and charcoal factories in the remote Chaco region. (3,7,8,24,25) Children shine shoes on the street and in government buildings, including the Supreme Court building.(8)

Children from rural and indigenous communities face difficulties accessing and completing their education, including language barriers and inadequate facilities and staff. (3,32,33) The 2011 National Survey of Child and Adolescent Activities indicated that children who speak Guaraní exclusively are more likely to be involved in child labor and have higher rates of school absence compared to other working children; poverty is pervasive in rural Paraguay, where Guaraní is the predominant language. (4,34) School buses or other forms of public transportation are limited in rural areas, and school infrastructure is often inadequate in rural and indigenous communities. The government has noted that girls from rural areas leave school at an earlier age than boys, and has estimated that more than 50 percent of children with disabilities could not attend school due to lack of access to public transportation. (7,8) Such challenges may leave these children more vulnerable to child labor. Approximately 13 percent of children engaged in child labor in agriculture do not attend school and 11.8 percent of working children ages 14 to 17 have not completed primary school. (1,35)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Paraguay 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	✓

Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Paraguay's legal framework to adequately protect children from the worst forms of child labor, including the lack of prohibition of child recruitment by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 1 of Law No. 2332; Article 58 of the Childhood and Adolescence Code (36,37)
Minimum Age for Hazardous Work	Yes	18	Article 54 of the Childhood and Adolescence Code; Article 3 of Decree No. 4951; Articles 122 and 125 of the Labor Code; Article 15 of the First Employment Law; Article 5 of Law No. 5407 on Domestic Work (36-42)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 54 of the Childhood and Adolescence Code; Article 2 of Decree No. 4951; Article 15 of the First Employment Law; Articles 122, 125, and 389 of the Labor Code; Article 5 of Law No. 5407 on Domestic Work (36-42)
Prohibition of Forced Labor	Yes		Articles 5–7 of the Comprehensive Law Against Trafficking in Persons; Articles 125, 129, 223, and 320 of the Penal Code; Articles 10 and 54 of the Constitution (43-46)
Prohibition of Child Trafficking	Yes		Articles 6 and 7 of the Comprehensive Law Against Trafficking in Persons; Articles 125, 129, and 223 of the Penal Code; Article 54 of the Constitution (43-46)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 135 and 223 of the Penal Code; Article 2.19 of Decree No. 4951; Article 31 of the Childhood and Adolescence Code (36,38,44,46)
Prohibition of Using Children in Illicit Activities	Yes		Article 1 of Law No. 1657; Article 32 of the Childhood and Adolescence Code (36,47)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 3 and 5 of the Obligatory Military Service Law (48,49)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 3 and 5 of the Obligatory Military Service Law (48,49)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15	Article 2 of Law No. 4088; Article 32 of the General Education Law No. 1264 (50,51)
Free Public Education	Yes		Article 76 of the Constitution; Article 32 of the General Education Law No. 1264 (43,50)

In 2018, President Abdo Benitez and the Paraguayan Congress upgraded the Secretariat of Adolescents and Children (SNNA) to a full ministry-level body, the Ministry of Adolescents and Children (MINNA), giving it greater access to high-level political discussions and its own budget. (3,31,52,53) 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. (36,37)

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, Employment and Social Security (MTESS) that may hinder adequate enforcement of their child labor laws.

Paraguay

SIGNIFICANT ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment and Social Security (MTESS)	Enforces laws related to child labor, inspects workplaces for child labor, and fines companies found in violation of labor laws. Refers cases involving criminal violation of child labor to the MINNA. (3,9,10)
National Police	Maintain a special unit of 33 police officers, Anti-TIP Unit of the Paraguayan National Police, who handle complaints regarding trafficking in persons, including children, with offices in 5 cities. (3,9,10)
Public Ministry (Prosecutor's Office)	Enforces criminal laws related to the worst forms of child labor by investigating and prosecuting violators and providing support to local prosecutors throughout Paraguay. (3,10) Also maintains the Specialized Unit to Combat Human Trafficking and Sexual Exploitation of Children and Adolescents. (3)
Ministry of Adolescents and Children (MINNA)	Maintains a unit dedicated to fighting child trafficking and a hotline to report cases of human trafficking and commercial sexual exploitation of children. Provides social services to victims referred by law enforcement agencies. (3,9,10,24)
Attorney General's Office	Investigates and prosecutes cases of child labor involving human trafficking through the Anti-Trafficking in Persons Unit. Comprises 3 specialized prosecutors based in Asunción and 35 assistants. (3,9,18)
Ministry of Women's Affairs	Provides social services to female victims of human trafficking, half of whom are estimated to be children. Houses an office staffed with five personnel dedicated to combating trafficking of children. (3,9,10)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Paraguay took actions to combat child labor (Table 6). However, gaps exist within the operations of the MTESS that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	1.1 million (7)	1.1 million (3)
Number of Labor Inspectors	35 (7)	26 (3)
Inspectorate Authorized to Assess Penalties	No (7)	No (3)
Initial Training for New Labor Inspectors	Yes (7)	Yes (3)
Training on New Laws Related to Child Labor	Yes (7)	N/A (54)
Refresher Courses Provided	Yes (7)	Yes (3)
Number of Labor Inspections Conducted	667 (7)	684 (3)
Number Conducted at Worksite	275 (7)	234 (3)
Number of Child Labor Violations Found	27 (7)	137 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	27 (7)	30 (3)
Number of Child Labor Penalties Imposed that Were Collected	27 (7)	6 (3)
Routine Inspections Conducted	Yes (7)	Yes (3)
Routine Inspections Targeted	Yes (7)	Yes (3)
Unannounced Inspections Permitted	Yes (7)	Yes (3)
Unannounced Inspections Conducted	Yes (7)	Yes (3)
Complaint Mechanism Exists	Yes (7)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (3)

In 2018, the MTESS, in cooperation with Project Okakuaa, opened a new regional office in Filadelfia, located in the Chaco region and developed a campaign (*Chaco Paraguayo con Trabajo Decente*) to inform the public about its opening and to promote decent working conditions. (3,52) The MTESS' General Directorate for the Protection of Children and Adolescents also created a Complaints and Follow-up Office which is responsible for directing these types of requests to other areas within MTESS or to other relevant public agencies such as the anti-trafficking unit. (3)

Although Paraguay has ratified ILO C. 81, its labor inspectors are contractors rather than public officials and there are no inspectors dedicated solely to child labor issues. (3) Due to the instability of contract employment, the authority and training of these labor inspectors may be called into question. (55) The number of labor inspectors is likely insufficient for the size of Paraguay's workforce, which includes over 3 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Paraguay would employ about 229 inspectors. (53,56,57) Government agencies, international organizations, NGOs, and labor organizations agree that inadequate funding and the insufficient number of labor inspectors hamper the labor inspectorate's capacity to enforce child labor laws, especially in the informal sector, including in agriculture and domestic work. (3,7,23) The inspectorate is particularly limited by the lack of dedicated vehicles or travel funds. (3,7)

An additional constraint to labor law enforcement is the lack of efficient and timely cooperation by judicial authorities in granting workplace inspection search warrants to the Public Ministry and the MTESS when an employer does not permit an inspector to enter a workplace to conduct an inspection. The system is paper-based and orders routinely take more than 3 months to arrive. (3,8-11,58) Research was unable to determine whether the government has implemented a 2016 agreement with judicial and law enforcement authorities that would accelerate the authorization of search warrants.

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Paraguay 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 the lack of a referral mechanism between criminal authorities and social services.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (7)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (7)	N/A (3)
Refresher Courses Provided	Yes (7)	Yes (3)
Number of Investigations	15 (7)	376 (3)
Number of Violations Found	15 (55)	107 (3)
Number of Prosecutions Initiated	15 (55)	Unknown (3)
Number of Convictions	14 (55)	Unknown (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (55)	Yes (59)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (7)	No (3)

During the reporting period, the MTESS carried out both proactive and reactive inspections in sectors and geographical areas where children are at high risk of engaging in child labor, although inspections were general and not specifically seeking incidents of child labor. (3) The Attorney General's Office had 5 prosecutors, including a lead prosecutor, and 45 assistants specialized in and dedicated to combating trafficking in persons (TIP) who worked with other prosecutors throughout the country to investigate and prosecute traffickers. (31) In 2018, for the first time ever, the MINNA set aside a small budget specifically for TIP victim assistance, although the exact amount was not known. (31) The Attorney General's Office, in conjunction with the Spanish Agency for International Development Cooperation, conducted 4 training sessions on labor trafficking with approximately 800 government participants, including prosecutors, investigators, judges, migration officials, and inspectors. (31) During the reporting period, the MINNA assisted 70 human trafficking victims, of whom 48 received assistance at the MINNA-funded specialized shelter for underage victims of sex trafficking. (31) In May, the MINNA also conducted a nationwide public awareness and prevention campaign against child abuse, including sexual exploitation and human trafficking. (31)

However, government agencies, international organizations, NGOs, and labor organizations have observed a need for more specialized prosecutors to support local prosecutors nationwide and increase the Public Ministry's

Paraguay

SIGNIFICANT ADVANCEMENT

ability to investigate and prosecute cases involving human trafficking. (8,9,11,15) In addition, investigations were limited by insufficient resources, including vehicles, fuel, and logistical support. Overall, Paraguay's criminal law enforcement agencies lack resources, including staff and training, to sufficiently identify, investigate, and prosecute cases of the worst forms of child labor. As a result, the number of convictions of crimes related to the worst forms of child labor is insufficient and existing penalties are inadequate deterrents. (3,7-11,15,60) In 2018, the National Police's Anti-Trafficking Unit also reported that the budget allocated to anti-TIP efforts had decreased, forcing the closure of an office in Encarnación and lowering the staff from 50 to 38. (31)

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 adequate coordination of efforts to address child labor, including a lack of financial and human resources.

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

Coordinating Body	Role & Description
National Commission to Prevent and Eradicate the Exploitation of Children (CONAETI)	Leads government efforts against child labor and includes representatives from MTESS, the Ministry of Justice and Human Rights, the Ministry of Women's Affairs, the MINNA and other government agencies, and labor union representatives, industry associations, and NGOs. (3,10) In 2018, CONAETI updated its action plan for the 2018–2020 period, with the objective of strengthening the actions of the commission. (52)
Inter-Institutional Working Group on Preventing and Combating Human Trafficking	Coordinates inter-agency efforts to combat all forms of trafficking in persons, including child trafficking, and collects and reports statistics on those efforts. Headed by the Ministry of Foreign Relations and mandated to collect and report statistics on trafficking. (3,10,19,61) The group held two plenary sessions and three committee sessions in 2018. (31)
Defense Councils for the Rights of Children and Adolescents (CODENIs)	Coordinate efforts to protect children's rights at the municipal level, including by maintaining a registry of adolescent workers and coordinating with vocational training programs for adolescents. (10,36) During the reporting period, CODENIs started a "CODENI in Your Community" series in which counselors began monthly visits to schools targeted by the Okakuaa Project to provide specialized guidance to families to prevent critical situations of child labor, link cases to the judiciary system, and increase awareness of the computer system that is used to register adolescent workers. (52) Also, in coordination with the Regional Office in Guairá and the MTESS, CODENIs led meetings to discuss the <i>Registro del Adolescente Trabajador</i> , a computer system that is used to register adolescent workers, and to inform companies and rural establishments on the legal provisions that must be met to hire adolescents. (52)

On September 13, 2018, following changes in government leadership, the new Minister of Labor Carla Bacigalupo and the new Minister of Adolescents and Children (MINNA) Teresa Martinez signed an agreement to work actively to combat the worst forms of child labor. (52) At this same meeting, representatives from the General Direction of Statistics, Surveys and Censuses also reported that they are working on the inclusion of a child labor module in their annual survey, the *Encuesta Permanente de Hogares* (EPH) for 2019. (52)

While the Inter-Institutional Working Group for Preventing and Combating Trafficking in Persons was effective in fostering dialogue and coordination among government agencies on anti-TIP efforts, it faced challenges in collecting and reporting statistics and a lack of participation from all relevant government agencies. (31) Government agencies responsible for addressing child labor share information and coordinate efforts informally, but coordination between the MTESS and the Ministries of Education and Health remains insufficient to combat the worst forms of child labor. In addition, the Defense Councils for the Rights of Children and Adolescents (CODENIs) require additional financial and human resources to fulfill their mission to address child labor. (3,8-10,18,62)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established relevant policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents (2018–2023)†	Aims to raise awareness and strengthen enforcement of child labor laws. Provides child laborers with access to free quality education and offers livelihood alternatives for their families. (3,8,10) The government continued to support this strategy and updated it in 2018. (3,63)
National Strategy to Prevent Forced Labor	Aims to prevent and eradicate forced labor and care for victims. (62) The government did not provide information on actions taken under this strategy in 2018 for inclusion in this report.
National Plan for Development (2014–2030)	Aims to reduce social exclusion and poverty, including by preventing and eliminating child labor. (64) The government continued to implement this plan during the reporting period. The Technical Secretariat for Planning worked with UN agencies and Organization for Economic Cooperation and Development on implementation. (59)
National Plan on Human Rights	Promotes human rights, including the prevention and elimination of child labor and forced labor. (65) The government did not provide information on actions taken under this plan in 2018 for inclusion in this report.
Inter-Institutional Agreement on Government Procurement	Prohibits government procurement of goods or services involving child labor. Established between the MINNA and the National Bureau for Public Contracts. (66) The government did not provide information on actions taken under this agreement in 2018 for inclusion in this report.

† Policy was approved during the reporting period.

In 2018, the government updated the National Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents for the 2018–2023 period. (3,67) The plan includes goals of institutional strengthening of the MINNA, CODENIs and the MTESS, increased training and awareness campaigns on the worst forms of child labor, and improving education throughout the country. (67) The Government of Paraguay used the United Nations Millennium Goals as a guideline for the creation of the updated plan. (67)

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 coverage and funding to fully address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, policy development, and awareness-raising. These projects include Attaining Lasting Change (ATLAS), a \$7.5 million project which aims to build the capacity of host governments to more adequately combat child labor, forced labor, and human trafficking; Country Level Engagement and Assistance to Reduce Child Labor (CLEAR), implemented by the ILO in 11 countries; and Paraguay Okakuaa (Paraguay Progresses), a \$6 million project implemented by Partners of the Americas. (68,69) For additional information about USDOL's work, please visit our website.
Immediate Assistance Fund†	Provides immediate, temporary assistance to victims of child labor and human trafficking. Established by the Anti-Trafficking in Persons Unit of the Attorney General's office with support from International Organization for Migration. (3) In 2018, assistance included psychological examinations, hotel stays, assisted returns home, and food and furniture donations. (59)
Embrace Program (Programa Abrazo)†	MINNA program to assist children engaged in exploitative work by providing them and their families with health and education services, food deliveries, and cash transfers conditioned on children's school attendance and withdrawal from work. (3,70) Works closely with the NGO Fortalecer in the implementation of ILO-IPEC programs and with the Sugarcane Growers' Association, Ministry of Education and Culture, and CONAETI to set up programs tailored to at-risk children who work during the sugarcane harvesting season. (10) From January to June 2018, the program attended to 10,858 children. (71)
Combating Commercial Sexual Exploitation of Girls, Boys, and Adolescents in Trips and Tourism†	National campaign of the National Secretariat for Tourism and the Association of Female Tourism Executives to raise awareness on protecting children from commercial sexual exploitation. (18) Launched campaign in the Department of Itapúa in November 2018. (72)

Paraguay

SIGNIFICANT ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Promotion of Decent Work in the Cotton Supply Chain (2016–2018)	Government of Brazil-funded project implemented by the ILO to promote decent work in cotton through exchanges on combating poverty and discrimination, preventing and eradicating child labor and forced labor, formalizing employment, and promoting youth employment and equality. (73,74) Due to implementation delays, this project remained ongoing in 2018. (59)
Well-Being Conditional Cash Transfer Program (Tekoporã)†	Government-administered program through the Secretariat for Social Action. Provides conditional cash transfers to families in rural communities. (9) Incorporates aspects of the Embrace Program, such as the family monitoring methodology, to ensure participant children do not engage in child labor. (10) In 2018, the program included an additional 118 families in the Department of Guairá. World Bank officials noted that their research shows it is the most successful social program in Paraguay in combating poverty and child labor. (75,76)

† Program is funded by the Government of Paraguay.

The 2012 Law Against Trafficking in Persons requires the Ministry of Women’s Affairs to provide compensation and financial assistance to victims of sexual and labor trafficking, including minors. In 2018, in contrast to previous reporting periods, the Ministry of Women’s Affairs did allocate a small amount of funding specifically for victim compensation and financial assistance, although NGO and government officials reported that compensation took too long to be helpful and in some cases drew unwanted attention to the victim. (9,11,15,31,45,77) The Ministry of Women’s Affairs also conducted training for 1,500 individuals in 2018 in at-risk communities and high-risk industries, including hospitality, on the nature of TIP and avoiding victimization. (31) Although Paraguay has programs that target child labor, the coverage and funding of these programs is insufficient to fully address the extent of the problem, and programs are limited by the absence of government education and health services in rural areas. Additional programs are needed to reach the large numbers of working children, especially in agriculture, including cattle herding and domestic work. (7,9,11,15)

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 Paraguay (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Raise the minimum age for work to the age of completion of compulsory education.	2018
Enforcement	Ensure that the National Police’s Anti-Trafficking Unit is properly funded.	2018
	Strengthen the labor inspectorate by permitting inspectors to determine and assess penalties for child labor violations.	2016 – 2018
	Strengthen the labor inspectorate by making labor inspectors public officials rather than contractors.	2017 – 2018
	Increase the number of labor inspectors to meet the ILO’s technical advice and increase the funding and resources available to the labor inspectorate, including dedicated vehicles and travel funds, to build enforcement capacity to address child labor in the informal sector.	2009 – 2018
	Implement the agreement to accelerate authorization of workplace inspection search warrants to improve the cooperation mechanisms among judicial authorities and labor enforcement officials.	2013 – 2018
	Publish information on the number of prosecutions initiated and the number of convictions on cases related to the worst forms of child labor.	2018
	Establish a referral mechanism between criminal authorities and social services to ensure that victims of the worst forms of child labor receive appropriate services.	2016 – 2018
	Increase efforts to prosecute crimes related to the exploitation of children in the worst forms of child labor, including by hiring and training more specialized prosecutors; providing resources, such as vehicles and fuel, to enable investigations in remote areas; and increasing penalties for crimes.	2012 – 2018
Discontinue the practice of allowing children to shine shoes in government buildings, including the Supreme Court building.	2017 – 2018	

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Coordination	Strengthen interagency coordinating mechanisms, with particular focus on the communication between the Ministry of Labor, Employment and Social Security and the Ministries of Education and Health, to combat child labor, including its worst forms.	2013 – 2018
	Ensure that the Inter-Institutional Working Group for Preventing and Combating Trafficking in Persons fulfills its mandates, including in collecting and reporting statistics.	2018
	Provide additional financial and human resources to the Defense Councils for the Rights of Children and Adolescents to strengthen their ability to address child labor at the municipal level.	2017 – 2018
Government Policies	Publish information on activities taken under key policies that address child labor, including its worst forms.	2018
Social Programs	Further expand government programs to assist more families and children affected by child labor, including in agriculture and domestic work.	2010 – 2018
	Increase access to education for children vulnerable to child labor, particularly children with disabilities and children living in rural and indigenous communities where language barriers and lack of teachers is prevalent.	2014 – 2018
	Ensure that financial assistance programs for child trafficking and forced labor victims are properly funded.	2018

REFERENCES

- ILO and Dirección General de Estadística, Encuestas y Censos del Paraguay. Trabajo infantil y adolescente en el sector rural agrícola, pecuario, forestal y de pesca y piscicultura en Paraguay - Encuesta de actividades de niños, niñas y adolescentes - EANA RURAL 2015. Geneva: Organización Internacional del Trabajo; Servicio de principios y derechos fundamentales en el trabajo (FUNDAMENTALS), 2016. http://www.ilo.org/santiago/sala-de-prensa/WCMS_533723/lang--es/index.htm.
- Office of the United Nations High Commissioner for Human Rights. End of mission statement of Urmila Bhoola, Special Rapporteur on contemporary forms of slavery, including its causes and consequences following her visit to Paraguay between 17-24 July 2017. <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=21903&LangID=E>.
- U.S. Embassy- Asunción. Reporting. February 8, 2019
- ILO and Dirección General de Estadística, Encuestas y Censos del Paraguay. Magnitud y características del trabajo infantil y adolescente en el Paraguay. 2013. Source on file.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2018. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Asunción. Reporting. January 18, 2018.
- U.S. Embassy- Asunción. Reporting. January 18, 2017.
- U.S. Embassy- Asunción. Reporting. January 15, 2016.
- U.S. Embassy- Asunción. Reporting. February 3, 2014.
- U.S. Embassy- Asunción. Reporting. January 15, 2015.
- Ultimahora.com. Esclavitud: Indígenas rescatados cobraron sus salarios. November 19, 2016. <http://www.ultimahora.com/esclavitud-indigenas-rescatados-cobraron-sus-salarios-n1041162.html>.
- Hoy. Paso Yobái: fiebre por oro expone a niños a peligros. May 10, 2017. <http://www.hoy.com.py/nacionales/paso-yobai-fiebre-por-oro-expone-a-ninos-a-explotaciones>.
- Agenzia Fides. America/Paraguay - Complaints regarding child abuse, who are exploited as domestic servants, continue. fides.org, March 11, 2016. http://www.fides.org/en/news/59610#.VVB_dKOErlYU.
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Paraguay (ratification: 2001). Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:3294985:NO.
- Carneri, Santi. Exploitation of Child Domestic Labour in Paraguay, a Hidden, Deep-Rooted Custom. equaltimes.org, August 12, 2016. http://www.equaltimes.org/exploitation-of-child-domestic?lang=en#.WB_emeErLyU.
- Tegel, Simeon. The "adoption" of Paraguayan children as domestic help. The Asunción: Washington Post, June 13, 2016. A-Section. LexisNexis.
- U.S. Embassy- Asunción. Reporting. February 1, 2016.
- U.S. Embassy- Asunción. Reporting. March 5, 2014.
- U.S. Department of State Trafficking in Persons Report - 2018: Paraguay. June 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/paraguay/>.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Paraguay (ratification: 2001). Published: 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:3149343:NO.
- UNICEF. Situación del Derecho a la Protección Infantil y Adolescente en Paraguay. Asunción, December 2014. <http://www.unicef.org/paraguay/spanish/unicef-situacionderechoproteccion.pdf>.
- ABC Color. Muchas "Liz" siguen en Cateura. abc.com.py, February 10, 2014. <http://www.abc.com.py/nacionales/muchas-liz-siguen-en-cateura-1213703.html>.
- U.S. Embassy- Asunción official. Email communication to USDOL official. May 22, 2017.
- U.S. Department of State. Trafficking in Persons Report- 2017: Paraguay. Washington, DC, June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/paraguay/>.
- Secretaría Nacional de la Niñez y la Adolescencia. Situación sobre CRIADAZGO en nuestro país. Government of Paraguay, February 26, 2014. Source on file.

SIGNIFICANT ADVANCEMENT

- 27 ABC Color. Pornografía infantil: poca ayuda de proveedores. abc.com.py, April 6, 2015.
<http://www.abc.com.py/nacionales/poca-ayuda-de-las-proveedoras-de-internet-1353780.html>.
- 28 ABC Color. Cae español por pornografía infantil. abc.com.py, February 10, 2016. Source on file.
- 29 ABC Color. Imputan a modelo por pornografía infantil. abc.com.py, May 13, 2015.
<http://www.abc.com.py/nacionales/imputan-a-modelo-por-pornografia-infantil-1366453.html>.
- 30 U.S. Embassy- Asunción. Reporting. February 17, 2015.
- 31 U.S. Embassy- Asunción. Reporting. March 13, 2019.
- 32 UN Convention on the Elimination of All Forms of Discrimination against Women. List of issues and questions in relation to the seventh periodic report of Paraguay. Replies of Paraguay. CEDAW/C/PRY/Q/7/Add.1. July 5, 2017.
http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/PRY/Q/7/Add.1&Lang=en.
- 33 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Paraguay (ratification: 2001). Published: 2017.
http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312327:NO.
- 34 International Fund for Agricultural Development (IFAD). Paraguay (online). Accessed August 7, 2018.
<https://www.ifad.org/web/operations/country/id/paraguay>.
- 35 UNFPA. PARAGUAY JOVEN Informe sobre juventud 2015. Asunción, June 2016.
http://www.unfpa.org.py/download/Informe_Juventud_COMPLETO_FINAL.pdf.
- 36 Government of Paraguay. Código de la Niñez y la Adolescencia, No. 1680. Enacted: May 30, 2001. Source on file.
- 37 Government of Paraguay. Ley N° 2332, Que Aprueba el Convenio N° 138 Sobre la Edad Mínima, 1973. Enacted: December 19, 2003.
<http://paraguay.justia.com/nacionales/leyes/ley-2332-dec-19-2003/gdoc/>.
- 38 Government of Paraguay. El Listado de Trabajo Infantil Peligroso, Decree 495 I. Enacted: March 22, 2005.
http://www.sipi.siteal.org/sites/default/files/sipi_normativa/decreto_no_495I_de_2005_reglamenta_la_ley_no_1657_de_2001.pdf.
- 39 Government of Paraguay. Código del Trabajo, No. 213. Enacted: June 15, 1993. Source on file.
- 40 Government of Paraguay. Ley De Primer Empleo, Ley N° 1980/02. Enacted: September 20, 2002.
http://www.mtess.gov.py/application/files/3514/3774/3560/ley_primer_empleo.pdf.
- 41 Government of Paraguay. Ley N° 5407 Del Trabajo Doméstico. Enacted: October 12, 2015.
http://www.mtess.gov.py/application/files/9514/5571/6905/gaceta_ley_del_Trabajo_Domestico.pdf.
- 42 Government of Paraguay. Ley N° 496 Que Modifica, Amplia y Deroga Artículos de la Ley 213/93, Código del Trabajo. Enacted: August 22, 1995.
http://www.mtess.gov.py/index.php/download_file/view_inline/536.
- 43 Government of Paraguay. Constitución Política de 1992. Enacted: June 20, 1992. Source on file.
- 44 Government of Paraguay. Código Penal de Paraguay, No. 1.160/97. Enacted: November 26, 1997. Source on file.
- 45 Government of Paraguay. Ley Integral Contra la Trata de Personas, No. 4788. Enacted: September 6, 2012. Source on file.
- 46 Government of Paraguay. Ley N° 3.440/08 Que Modifica Varias Disposiciones de la Ley No. 1.160/97, Código Penal. Enacted: July 16, 2008.
<http://www.pj.gov.py/images/contenido/ddpi/leyes/ley-3440-2008-que-modifica-el-codigo-penal.pdf>.
- 47 Government of Paraguay. Ley N° 1657, Que Aprueba el Convenio N° 182 y la Recomendación Sobre la Prohibición de las Peores Formas de Trabajo Infantil y la Acción Inmediata Para Su Eliminación. Enacted: January 10, 2001.
<http://paraguay.justia.com/nacionales/leyes/ley-1657-jan-10-2001/gdoc/>.
- 48 Government of Paraguay. Ley que Deroga el Artículo 10 y Modifica el Artículo 5 de la Ley Número 569/75 “Del Servicio Militar Obligatorio,” No. 3360. Enacted: November 6, 2007.
<http://paraguay.justia.com/nacionales/leyes/ley-3360-nov-2-2007/gdoc/>.
- 49 Government of Paraguay. Ley del Servicio Militar Obligatorio, Ley N° 569. Enacted: December 1975.
<http://paraguay.justia.com/nacionales/leyes/ley-569-dec-24-1975/gdoc/>.
- 50 Government of Paraguay. Ley General de Educación, No. 1264/98. Enacted: April 21, 1998. Source on file.
- 51 Government of Paraguay. Ley N° 4088 Que Establece la Gratuidad de la Educación Inicial y de la Educación Media. Enacted: May 20, 2010. Source in file.
- 52 Partners of the Americas. Paraguay Okakuaa Technical Progress Report. October 2018. Source on File.
- 53 CIA. The World Factbook.
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>
- 54 U.S. Embassy- Asunción official. Email communication to USDOL official. March 1, 2019.
- 55 U.S. Embassy- Asunción official. Email communication to USDOL official. June 6, 2018.
- 56 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy, November 2006.
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 57 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 58 ILO Committee of Experts. Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Paraguay (ratification: 1967). Published: 2014.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3150741.
- 59 US Embassy- Asunción official. Email communication to USDOL official. June 28, 2018.
- 60 ILO Committee of Experts. Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Paraguay (ratification: 2001). Published: 2014.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3149347.
- 61 Government of Paraguay. Mesa Interinstitucional para la prevención y el combate a la trata de personas ratifica acciones conjuntas contra el flagelo. August 8, 2018.
<http://www2.mre.gov.py/index.php/noticias/mesa-interinstitucional-para-la-prevencion-y-el-combate-la-trata-de-personas-ratifica-acciones-conjuntas-contr-el-flagelo>.
- 62 Government of Paraguay. La Estrategia Nacional de Prevención del Trabajo Forzoso, Decree 6285. Enacted: November 15, 2016.
http://www.presidencia.gov.py/archivos/documentos/DECRETO6285_la5msfru.pdf.
- 63 Government of Paraguay. National Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents. December 6, 2018. Source on file.

- 64 Government of Paraguay. Paraguay para todos y todas: Propuesta de Política Pública para el Desarrollo Social 2010–2020. Asunción. 2010. <http://extwprlegs1.fao.org/docs/pdf/par157171.pdf>.
- 65 Government of Paraguay. Plan Nacional de Derechos Humanos, Decree 10747. Enacted: March 6, 2013. Source on file.
- 66 Secretaría Nacional de la Niñez y la Adolescencia and Dirección Nacional de Contrataciones Públicas. Convenio de Cooperación Interinstitucional entre la Secretaría de la Niñez y la Adolescencia (SNNA) y la Dirección Nacional de Contrataciones Públicas (DNCP). April 29, 2010. (Previously online).
- 67 Government of Paraguay. Estrategia Nacional de Prevención y Erradicación del Trabajo Infantil y Protección del Trabajo Adolescente en el Paraguay 2018–2023. December 6, 2018. Source on file.
- 68 ILO-IPEC. Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) project. Geneva, October 2014. Source on file.
- 69 USDOL. Department of Labor, Government of Paraguay commit to support new \$6 million program to combat child labor. November 6, 2015. <https://www.dol.gov/newsroom/releases/ilab/ilab20151106>.
- 70 U.S. Embassy- Asunción official. Email communication to USDOL official. January 26, 2017.
- 71 Government of Paraguay. Programa Abrazo_ Informe de Monitoreo 1er semestre_2018. 2018. <http://www.minna.gov.py/seccion/68-informes-de-monitoreo.html>.
- 72 ABC Color. Contra la explotación sexual en niños asociada al turismo. November 20, 2018. <http://www.abc.com.py/viajes/contra-la-explotacion-sexual-en-ninos-asociadas-al-turismo-1761046.html>.
- 73 ILO. Acuerdan iniciativa de Cooperación Sur-Sur entre Paraguay, Brasil y la OIT para la promoción del trabajo decente en la cadena de algodón. September 12, 2016. http://www.ilo.org/santiago/sala-de-prensa/WCMS_527003/lang-es/index.htm.
- 74 ILO. Cooperación sur-sur para la promoción del trabajo decente en los países productores de algodón en África y América Latina. http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-santiago/documents/projectdocumentation/wcms_527004.pdf.
- 75 ABC Color. Tekopora, mas eficiente para combatir pobreza. November 25, 2018. <http://www.abc.com.py/edicion-impresalocales/tekopor-mas-eficiente-para-combatir-pobreza-1762658.html>.
- 76 La Nacion. Programa Tekoporã: SAS incorpora a 118 familias más, esta vez, en Independencia. May 25, 2018. <https://www.lanacion.com.py/pais/2018/05/24/programa-tekopora-sas-incorpora-a-118-familias-mas-esta-vez-en-independencia/>.
- 77 U.S. Embassy- Asunción. Reporting. April 30, 2015.

In 2018, Peru made a moderate advancement in efforts to eliminate the worst forms of child labor. The National Labor Inspection Superintendency opened two new inspection offices and added approximately \$14 million to its 2018 budget. Peru's Congress also passed legislation to strengthen the labor inspectorate system by temporarily transferring competencies, functions, and staff from the Regional Governments to the National Labor Inspection Superintendency. In addition, the government renewed the National Plan to Combat Forced Labor and the National Policy Against Trafficking in Persons. However, children in Peru engage in the worst forms of child labor, including in mining and in commercial sexual exploitation, sometimes as a result of human trafficking. Peruvian law allows children ages 12 to 14 to do light work without specifying the activities in which children may work. In addition, labor law enforcement agencies in Peru lack sufficient inspectors and training to effectively combat child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Peru engage in the worst forms of child labor, including in mining and in commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) In the 2015 National Child Labor Survey, the government identified 1,619,200 children, ages 5 to 17, engaged in child labor. Rates of child labor were higher in the sierra and jungle regions than in the coastal region, and higher in rural areas than in urban areas. (3) The government estimated that 1,251,400 children, ages 5 to 17, were engaged in hazardous child labor and that 58.4 percent of these children worked in agriculture, fishing, or mining. The government also identified 70,500 children, ages 10 to 17, who were at risk of forced labor. (3) Table 1 provides key indicators on children's work and education in Peru.

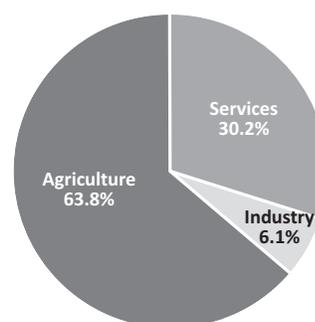
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	21.8 (1,261,484)
Attending School (%)	5 to 14	97.6
Combining Work and School (%)	7 to 14	25.0
Primary Completion Rate (%)		93.9

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2019. (4)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Trabajo Infantil, 2015. (5)

Figure 1. Working Children by Sector, Ages 10-14



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	Transplanting and harvesting rice, collecting and harvesting Brazil nuts/chestnuts (6,7)
	Fishing,† including deep sea fishing,† organizing tools, throwing fishing lines and nets,† unloading ships, harvesting crabs and shrimp eggs, and cleaning shrimp and prawns for packaging† (1,6,8,9)
	Logging† timber and clearing forestland for mining, including cutting down and burning trees (1,10,11)
Industry	Mining,† including for silver and gold (1,3,6,11,12)
	Construction and production of bricks† and fireworks† (3,6,11,13)

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Street work,† including vending, begging, shoe shining, carrying loads, selling in kiosks and markets, collecting fares on public buses,† and washing cars (1,3,14,15)
	Treating leather and working on shoes (3)
	Repairing motor vehicles† (10)
	Garbage scavenging† (11,16,17)
	Domestic work† and cleaning offices and hotels (3,11)
Categorical Worst Forms of Child Labor‡	Forced labor in mining, including gold mining (1,10-18)
	Forced labor in logging timber, street vending, and begging (1,2,10,11,13-20)
	Forced domestic work, sometimes as a result of human trafficking (1,2)
	Commercial sexual exploitation, including in bars, nightclubs, brothels, and mining camps, each sometimes as a result of human trafficking (1,2,21)
	Growing and processing coca (stimulant plant), sometimes as a result of human trafficking, and transporting drugs (1,2,6,19,21,22)
	Counterfeiting U.S. dollars and lightbulbs (1,2,23,24)
	Recruitment of children by non-state armed groups for use in armed conflict (2)

† 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.

Children in Peru work in informal and small-scale mining, particularly for gold, sometimes in situations of forced labor, and are exposed to hazards, including wall and mine collapses, landslides, explosives accidents, and exposure to mercury and harmful gases. Near mining areas, children are also subjected to commercial sexual exploitation, sometimes as a result of human trafficking. (1,2,10,11,25-27) Remnants of the Shining Path terrorist group continue to use children in combat, domestic servitude, and drug trafficking. (1,2,19) Forced labor in support of narco-trafficking can include using hazardous chemicals to process coca or working as a drug courier. (1) The influx of over 800,000 Venezuelan migrants and refugees into Peru since 2017 may exacerbate child labor and human trafficking. (1,2,28) Government and civil society groups have noted specific cases of human trafficking in which Venezuelan victims were promised jobs upon arrival to Lima, only to be forced into prostitution to pay off a debt. (1)

Indigenous and Afro-Peruvian children and children from rural communities experience lower school enrollment and completion rates, with indigenous children especially vulnerable to dropping out of school and engaging in hazardous work in agriculture. (11,29,30)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Peru 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 Peru's legal framework to adequately protect children from the worst forms of child labor, including the lack of prohibition of child recruitment by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 51 of the Child and Adolescent Code (31)
Minimum Age for Hazardous Work	Yes	18	Article 58 of the Child and Adolescent Code (32)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections A and B of Supreme Decree No. 003-2010-MIMDES; Article 58 of the Child and Adolescent Code (32,33)
Prohibition of Forced Labor	Yes		Articles 2 and 23 of the Constitution; Article 4 of the Child and Adolescent Code; Articles 128, 129, 153, 168, and 182 of the Penal Code; Article 153 of the Law Against Trafficking of Persons and the Illicit Trafficking of Migrants; Article 153 of the Law that Perfects the Typification of the Crime of Trafficking of Persons (32,34-37)
Prohibition of Child Trafficking	Yes		Article 4 of the Child and Adolescent Code; Articles 153 and 182 of the Penal Code; Article 153 of the Law Against Trafficking in Persons and the Illicit Trafficking of Migrants (32,34-36)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 4 of the Child and Adolescent Code; Articles 153 and 179–183 of the Penal Code (32,35,38)
Prohibition of Using Children in Illicit Activities	Yes		Articles 128 and 297 of the Penal Code (35,39,40)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 2, 6, and 42 of the Military Service Law (41)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	17‡	Article 17 of the Constitution; Articles 12 and 36 of the General Education Law; Article 61 of Supreme Decree No. 011-2012-ED (37,42-44)
Free Public Education	Yes		Article 17 of the Constitution; Article 4 of the General Education Law (37,42)

* No conscription

‡ Age calculated based on available information (37,42-45)

Although night work is on the hazardous work list, Article 57 of the Child and Adolescent Code allows a judge to authorize children ages 15 and older to engage in night work not exceeding 4 hours a day. The Child and Adolescent Code provides a light work exception for children as young as age 12 to receive work authorization without specifying the activities permitted. (1,31) In addition, 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. (32,37,42-44)

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 Promotion of Employment (MTPE) that may hinder effective enforcement of their child labor laws.

Peru

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Promotion of Employment (MTPE)	Sets national policies and guidelines for labor law enforcement, including for inspections. Responsible for supporting the National Labor Inspection Superintendency (SUNAFIL). (46,47) Maintains an online reporting service to receive complaints of labor law violations. (48)
National Labor Inspection Superintendency (SUNAFIL)	As part of the Ministry of Labor and Promotion of Employment, enforces labor laws in 16 regions. (1,49,50) Conducts labor inspections of employers who have more than 10 registered workers. (51) Maintains a special inspection group comprising 15 inspectors who conduct inspections targeting forced labor and child labor violations and train other inspectors on these topics. (1,8,52,53) Addresses possible child labor violations during inspections and refers cases of child labor to the Ministry of Women and Vulnerable Populations (MIMP) and the Public Ministry, as appropriate. (54)
Regional Directorates for Labor	Inspects employers with 10 or fewer registered workers and conducts labor inspections in regions without a SUNAFIL office. Following Congress' 2018 legislation to strengthen the labor inspectorate, the Regional Directorates now consist of one representative of the regional government, one representative of the MTPE, and one representative of SUNAFIL. (55)
Ombudsman's Department for Children and Adolescents	Coordinates government policies and programs that target children and adolescents. Assists the MTPE to investigate child labor complaints. (45)
Peruvian National Police (PNP)	Enforce criminal laws regarding child labor and child exploitation, and maintain a human trafficking investigation unit to investigate cases of child trafficking for labor and sexual exploitation. (1,2) Coordinate with the Public Ministry and MIMP to place rescued minors with family members or state social services. (1,2)
Public Ministry	Coordinates with MTPE, SUNAFIL, and the National Police to investigate and prosecute cases of criminal violations of child labor laws. Maintains a specialized human trafficking prosecutorial unit in the Public Prosecutor's Office. (56)
Ministry of the Interior (MININTER)	Investigates child trafficking cases. (1,45) Maintains a hotline to receive reports of human trafficking. Provides victims and the public with information on human trafficking, refers cases of human trafficking to the relevant government offices, and coordinates services for victims. (1,57,58)
MIMP Children's Bureau	Designs, promotes, coordinates, monitors, and evaluates government policies and programs for the well-being of children. (45,59) Provides social services to children found in the worst forms of child labor and refers cases to the MTPE. (52,60)

In July 2018, Peru's Congress passed legislation to strengthen the labor inspectorate system. (1,55) Under this legislation, the government temporarily transferred competencies, functions, and staff from the Regional Governments to the National Labor Inspection Superintendency (SUNAFIL), the central authority of the labor inspection system, for a period of 8 years. (61-63) The government also issued a resolution which formalized the existing Specialized Group of Labor Inspectors on Forced Labor and Child Labor. This group within SUNAFIL, comprising inspectors specialized in child labor and forced labor, closely coordinate inspection procedures with other government ministries. (1,53,64) The Government of Peru also increased SUNAFIL's budget for the third year in a row, adding approximately \$14 million to the total budget. (1) SUNAFIL opened 2 new inspection offices in Ayacucho and Puno, resulting in a total of 16 offices across Peru's 25 regions and the Province of Lima. (1,2,50,65) SUNAFIL and the MTPE, in coordination with the Public Ministry, conducted multiple child labor courses during 2018, training over 1,000 labor inspectors and regional government officials. (1,66)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Peru took actions to combat child labor (Table 6). However, gaps exist within the operations of the MTPE that may hinder effective labor law enforcement, including the lack of data on labor inspections.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$28,922,000 (6)	\$43,000,000 (1)
Number of Labor Inspectors	626 (67)	686 (28)
Inspectorate Authorized to Assess Penalties	Yes (6)	Yes (1)
Initial Training for New Labor Inspectors	Yes (6)	Yes (1)
Training on New Laws Related to Child Labor	Yes (6)	Yes (1)
Refresher Courses Provided	Yes (6)	Yes (1)
Number of Labor Inspections Conducted	Unknown (6)	Unknown (1)
Number Conducted at Worksite	Unknown (6)	Unknown (1)
Number of Child Labor Violations Found	Unknown (6)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (6)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (6)	Unknown (1)
Routine Inspections Conducted	Yes (6)	Yes (1)
Routine Inspections Targeted	Yes (6)	Yes (1)
Unannounced Inspections Permitted	Yes (6)	Yes (1)
Unannounced Inspections Conducted	Yes (6)	Yes (1)
Complaint Mechanism Exists	Yes (6)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (1)

The number of labor inspectors is likely insufficient for the size of Peru's workforce, which includes over 17 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Peru would need to employ about 1,135 inspectors. (68-70) Although both the MTPE and SUNAFIL received budget increases for labor inspections in 2018, resources remain inadequate to enforce labor laws, especially in the informal sector, which remains a large portion of Peru's economy. (1) NGOs, the MTPE, and SUNAFIL reported that the number of labor inspectors and inspections remained inadequate and noted that insufficient training for inspectors and lack of funding for conducting inspections, hiring additional inspectors, and maintaining offices may have continued to hamper their enforcement of child labor laws, including in informal artisanal mining and domestic work. (1,6,71-73) Reports indicate that penalties for child labor were insufficient to deter violations, and enforcement in the informal sector is lacking. (1) NGOs and labor experts estimated that the MTPE collected approximately 10 percent of fines imposed in 2018. SUNAFIL collected no fines for child labor violations issued between 2014 and 2017 because the fines remained in the judicial appeals process. (1,6) In addition, many of Peru's inspectors are "auxiliary" or junior-level inspectors with limited authority to conduct inspections until they complete 2 years of service and an examination. (74) Auxiliary inspectors must have full inspectors supervise their inspection processes and review their inspection acts for any businesses with over 10 employees. (74,75) SUNAFIL reported plans to remove the auxiliary inspector classification and require that all inspectors at the national level be full-fledged inspectors with full authority. (75)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Peru took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder effective criminal law enforcement, including insufficient financial resources.

MODERATE ADVANCEMENT

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (6)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (6)	Yes (1)
Refresher Courses Provided	Yes (6)	Yes (1)
Number of Investigations	Unknown (6)	Unknown (1)
Number of Violations Found	Unknown (6)	Unknown (1)
Number of Prosecutions Initiated	Unknown (6)	Unknown (1)
Number of Convictions	Unknown (6)	Unknown (1)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (6)	Yes (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (1)

In June 2018, SUNAFIL inspectors carried out a joint operation with Lima municipal authorities, the Lima Public Prosecutor's Office, and the Peruvian National Police (PNP) at the Las Malvinas industrial area in Lima, identifying three children working illegally with heavy equipment in printing shops. The children were turned over to the Lima Family Prosecutor's Office, and SUNAFIL fined the printing shop owners and launched an investigation of the printing shops. (1) In January 2018, during joint operations with the PNP, the Public Ministry, and the regional government authorities in the city of Huánuco, SUNAFIL identified 7 children ages 11 to 15 working illegally in restaurants and hostels. The PNP turned the children over to the Public Ministry and the business owners were fined. (1) During the reporting period, the National Police's Trafficking in Persons Unit expanded to 398 officers, up from 147 in 2017. (2) Peru also signed a trafficking in persons border agreement with Colombia in 2018 and a counter-human trafficking bilateral agreement with Spain in February 2019. (2) In 2018, the Public Prosecutor's Office also funded six specialized regional prosecutors who cover TIP crimes in the districts of Lima, Madre de Dios, Tumbes and Loreto. (1) The Public Ministry conducted over 25 TIP training sessions for prosecutors and police during the reporting period. (2) Despite these efforts, reports indicate that investigations and prosecutions were ineffective to deter child trafficking, particularly in illegal mining areas and bars. Such reports noted too few investigators, insufficient funding or resources to carry out investigations, low conviction rates, and inadequate training for MTPE investigators. (2,6,19,67,73) Although the Ministry of Women and Vulnerable Populations (MIMP) operates two shelters exclusively for human trafficking victims in Lima and Madre de Dios, there remains a lack of shelters and sustained specialized services for TIP victims throughout the country. (2)

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 implementation of action plans.

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

Coordinating Body	Role & Description
National Commission for the Prevention and Eradication of Child Labor (CPETI)	Implements the National Strategy for the Prevention and Eradication of Child Labor. (1,48) Proposes public policies and coordinates, evaluates, and monitors government actions to combat child labor. Maintains subcommittees, including on informal mining, child labor in indigenous villages, and project evaluations. (45) Led by the MTPE, comprises representatives from 17 government agencies, including MININTER; the Ministries of Education and Justice; the Peruvian National Police; and business associations, unions, and NGOs. (45,76) The commission held 10 meetings during the reporting year and promoted the implementation of the National Strategy for the Prevention and Eradication of Child Labor. (1)
Regional Commissions for the Prevention and Eradication of Child Labor	Manages and implements regional public policy for the prevention and eradication of child labor. Present in all 25 regions of Peru. (77) Some Regional Commissions for the Prevention and Eradication of Child Labor have not fulfilled their mandate to create action plans to combat child labor, while others have action plans but have failed to provide the necessary funding to carry them out. (1,6,56)

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

Coordinating Body	Role & Description
National Commission Against Forced Labor	Coordinates government efforts to combat forced labor, including conducting research and awareness-raising campaigns, developing legislation, and strengthening Peru's institutional capacity to address forced labor. Led by the MTPE, with the participation of eight additional government ministries. (1) The commission completed an evaluation of the implementation of the National Plan to Combat Forced Labor in early 2018. (28)
Permanent Multi-Sectoral Commission on Illegal Mining	Coordinates government efforts to address illegal mining by developing programs to eradicate child labor and commercial sexual exploitation of children in mining areas. Led by the Prime Minister's Office, includes representatives of regional governments and six national government agencies, including the Ministry of Energy and Mines and MININTER. (78)
Multi-Sector Commission Against Trafficking in Persons	Leads and coordinates government efforts to combat human trafficking by designing, recommending, monitoring, and implementing policies to combat human trafficking, including of children. Chaired by MININTER, comprises 12 government agencies, including the MTPE, MIMP, and the Ministries of Justice, Education, and Health. (79) Continued coordination in 2018 through the Ministry of the Interior. (2)

During the reporting period, government agencies used data from the 2015 national child labor survey to inform their efforts to address child labor, enhancing coordination between SUNAFIL, the MTPE, the National Police, and local officials. (1,2) The agencies worked together on joint inspections, police operations, awareness training, and employment training for victims with an emphasis on rural areas. (1) In April 2018, SUNAFIL labor inspectors coordinated with the Public Ministry, the PNP, and Cajamarca Regional government officials to identify and rescue 2 girls ages 14 and 15 from working in a rural agricultural processing plant. The PNP and Public Ministry then placed the victims in the custody of the Cajamarca Family Prosecutor's Office, which notified their families; SUNAFIL fined the owners of the plant, and the Public Ministry launched a criminal investigation. (1)

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 funding.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy for the Prevention and Eradication of Child Labor (2012–2021)	Aims to eliminate the worst forms of child labor by improving livelihoods of low-income families, educational opportunities, and working conditions for adolescents; raising awareness of child labor; and increasing child labor law enforcement. (1,14,60,77) Also seeks to improve the quality of child labor data in Peru. (14) Continued implementation in 2018. (1)
A Peru Without Child Labor	Aims to prevent and eradicate child labor through a partnership between the government and a network of private businesses committed to supporting the National Strategy. (60,77,80) The government did not provide information on activities taken under this policy in 2018 for inclusion in this report.
National Action Plan for Children and Adolescents (2012–2021)	Establishes a comprehensive set of government policies for children and adolescents to eradicate the worst forms of child labor. (1,59,77) Continued implementation in 2018. (1)
National Plan to Combat Forced Labor (2017–2021)	Establishes policies and priorities for combating forced labor, including programs and projects focusing on the most vulnerable populations such as children. (77,81) Continued implementation in 2018. (1) The plan was renewed during the reporting period, however, funding was never secured to implement the renewed Plan, making it difficult to implement across the government. (1,2,6)
Inter-sectoral Protocol Against Forced Labor	Outlines the government's role in combating forced labor and provides for the housing, legal defense, and educational reintegration of children and adolescent victims of forced labor. Monitored by the National Commission Against Forced Labor. (77,82,83) The Government of Peru implemented this policy in 2018 by holding regional conferences and workshops on how ministries and regional governments should address forced labor cases, monitor forced labor risk factors, and establish strategies to identify victims and provides services. (2)
National Plan of Action Against Trafficking in Persons 2017–2021	Aims to prevent and reduce human trafficking by addressing root causes, prosecuting perpetrators, assisting victims, and strengthening programs for vulnerable populations, including child laborers. (1,2,84,85) Emphasizes the needs of human trafficking victims through a dedicated Victim Reintegration Plan. (1,2) The government did not provide information on activities taken under this policy in 2018 for inclusion in this report.

Peru

MODERATE ADVANCEMENT

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 efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, policy development, and awareness-raising. These projects include Promoting Better Understanding of Indicators to Address Labor Trafficking in Peru, a \$2 million, 4-year project implemented by <i>Capital Humano y Social Alternativo</i> (CHS); <i>Proyecto Semilla (Seed Project): Combating Exploitative Rural Child Labor in Peru</i> , a \$16 million, 7-year project implemented by <i>Desarrollo y Autogestión</i> ; Consolidating and Disseminating Efforts to Combat Forced Labor in Brazil and Peru, a \$6.8 million, 5-year project implemented by the ILO; Engaging Workers and Civil Society to Strengthen Labor Law Enforcement, a \$2.8 million, 3-year project implemented by the American Center for International Labor Solidarity; Closing the Child Labor and Forced Labor Evidence Gap: Impact Evaluations, implemented by Innovations for Poverty Action; and From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project), a global project implemented by the ILO. For additional information about USDOL's work, please visit our website. (86-89)
Responsible Peru†	MTPE program to create formal youth employment opportunities, encourage adolescents to stay in school, and strengthen corporate social responsibility. (6,45) In 2018, the MTPE signed several agreements with private companies to develop public-private partnerships for corporate responsibility to help reduce child labor through an employment program that encourages adolescents to stay in school. (1)
Huánuco Project†	Improves school retention and attendance rates among child laborers in rural areas. In conjunction with the Together Program, assists approximately 4,000 children and 3,200 families by providing cash transfers, education, and livelihood services. (14,52,56) The government did not provide information on activities taken under this project in 2018 for inclusion in this report.
Carabayllo Project†	Provides scholarships, education assistance, psychological help, and other services to 1,000 families and 1,500 children to reduce urban child labor, especially in garbage dumps. (14,16,17,52,56) The government did not provide information on activities taken under this project in 2018 for inclusion in this report.
Learn Program (Yachay)†	MIMP program to increase protection and access to social services for children subjected to street work, begging, and commercial sexual exploitation. (93) In 2018, assisted approximately 8,000 minors in total and enabled over 6,000 children to reduce their work hours. (1)
Street Educators (Educadores de Calle)†	MIMP program under <i>Yachay</i> that provides counseling and training to children engaged in begging and street work. Operates 71 centers for educational activities, parent training, and workshops. (1,6,45,94) Connects working children and their families to educational and social services to withdraw them from exploitative work and improve family welfare. (95-97) The program assisted over 1,000 families in over 25 cities during the reporting period. (1,2)
Together Program (Juntos)†	Ministry of Social Development program, provides cash transfers to approximately 763,000 low-income households in 15 of the country's 25 regions. Provided services to nearly 900,000 families in 2018. (1,6,48,98)

† Program is funded by the Government of Peru.

In December of 2018, the Government of Peru officially announced its plan to combat the pervasive practice of illegal gold mining in the Amazonian region, which has historically fostered child labor, forced labor, and sex trafficking. Starting in early 2019, the government plans to focus efforts on social and economic development support to mining communities from key ministries, targeted assistance for human trafficking victims, and restoration of areas deforested and contaminated by mercury. (2) Under the Plan, MIMP will relocate victims of human trafficking, forced, and child labor to shelters in Cusco and other regions of the country. (2) Under the *Semilla* Project and the Adolescent Labor Reconversion Program, from 2016 to 2018 the MTPE provided employment training to over 2,000 youth ages 14 to 17 who had previously engaged in hazardous child labor in Junín and Pasco. (6,99) Reports indicate that existing social programs are not sufficient to fully address the problem of child labor in Peru, including the large number of children who perform dangerous tasks in agriculture. Peru also lacks targeted programs to assist children who are subjected to commercial sexual exploitation and children who work in mining, logging, and domestic work. (6,19,20)

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 Peru (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that children are either prohibited from engaging in night work with no exceptions or if children are permitted to engage in night work, that they are adequately protected.	2014 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2017 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Publish information on the number of labor inspections conducted at worksites; the number of child labor violations found and for which penalties were imposed and collected; and the number of criminal investigations, violations, prosecutions, and convictions related to the worst forms of child labor.	2015 – 2018
	Ensure effective enforcement of child labor laws, particularly in the informal sector, including in artisanal mining and domestic work.	2009 – 2018
	Increase the collection rate of fines imposed for child labor law violations to deter future violations.	2015 – 2018
	Establish National Labor Inspection Superintendency (SUNAFIL) offices in all regions of Peru to support labor law enforcement throughout the country.	2017 – 2018
	Increase the level of funding and the resources allocated for criminal law enforcement related to the worst forms of child labor, including for increased training on the worst forms of child labor for criminal investigators.	2015 – 2018
	Conduct criminal investigations in mining areas and bars in which minors serve alcohol or are subjected to commercial sexual exploitation, and ensure that penalties are properly enforced.	2016 – 2018
Coordination	Ensure that Regional Commissions for the Prevention and Eradication of Child Labor (CPETIs) develop action plans to combat child labor and allocate sufficient funding to implement these plans.	2010 – 2018
Government Policies	Allocate sufficient funding to fully implement policies and plans to combat forced labor.	2013 – 2018
	Publish information on activities taken under key policies to address child labor.	2018
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, in particular in indigenous and Afro-Peruvian communities and rural areas.	2014 – 2018
	Expand social programs to reach a greater number of children who perform dangerous tasks in agriculture; initiate social programs to address child commercial sexual exploitation, child labor in mining, child labor in logging, and child domestic work; and publish information on activities taken under all social programs that address child labor.	2009 – 2018

REFERENCES

- U.S. Embassy- Lima. Reporting. December 21, 2018.
- U.S. Embassy- Lima. Reporting. March 12, 2019.
- ILO-MTPE. Magnitud y características del trabajo infantil en Perú: Informe de 2015 - Análisis de la Encuesta Nacional de Hogares (ENAHO) y de la Encuesta sobre Trabajo Infantil (ETI). 2016. http://www.ilo.org/ipecc/informationresources/WCMS_IPEC_PUB_28857/lang-es/index.htm.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2018. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received January 12, 2018. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Lima. Reporting. January 12, 2018.
- UN Human Rights Council. Report of the Special Rapporteur on Contemporary Forms of Slavery, Including Its Causes and Consequences, Gulnara Shahinian. New York City. August 15, 2011. https://www.ohchr.org/Documents/Issues/Slavery/SR/A-HRC-18-30-Add.2_en.pdf.
- U.S. Embassy Lima official. Email communication to USDOL official. April 16, 2015.
- Instituto Nacional de Estadística e Informática. Perú: Niños, Niñas y Adolescentes que Trabajan, 1993–2008. December 2009. https://www.inei.gob.pe/media/MenuRecursivo/publicaciones_digitales/Est/Lib0875/libro.pdf.
- Verité. Risk Analysis of Indicators of Forced Labor and Human Trafficking in Illegal Gold Mining in Peru. 2013. https://www.verite.org/wp-content/uploads/2016/11/Indicators-of-Forced-Labor-in-Gold-Mining-in-Peru_0.pdf.
- UN General Assembly. Compilation on Peru - Report of the Office of the United Nations High Commissioner for Human Rights. August 28, 2017: A/HRC/WG.6/28/PER/2. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/250/98/PDF/G1725098.pdf?OpenElement>.
- El Comercio. Investigan denuncias de trabajo infantil en tres regiones. August 21, 2014. <http://elcomercio.pe/peru/pais/investigacion-denuncias-trabajo-infantil-tres-regiones-noticia-1751626>.
- Peru 21. Hacían trabajar a menor de edad en una ladrillera en condiciones peligrosas. September 15, 2017. <https://peru21.pe/peru/ica-hacian-menor-edad-ladrillera-condiciones-peligrosas-376094>.
- Government of Peru. Estrategia Nacional para la Prevención y Erradicación del Trabajo Infantil 2012-2021. 2012. Source on file.

MODERATE ADVANCEMENT

- 15 El Comercio. Mayoría de niños trabajadores del Cercado son de Huancavelica. October 1, 2014.
<http://elcomercio.pe/lima/sucesos/mayoria-ninos-trabajadores-cercado-son-huancavelica-noticia-1761030>.
- 16 Centro de Estudios Sociales y Publicaciones. Carabayllo Libre de Trabajo Infantil. November 2014.
<http://www.cesip.org.pe/file/717/download?token=C0IXG-iD>.
- 17 Ministerio de Trabajo y Promoción del Empleo. Informe sobre trabajo infantil en Carabayllo. July 21, 2015.
https://www.youtube.com/watch?v=sFg53bwn_P0.
- 18 U.S. Department of State. Trafficking in Persons Report_Peru- 2019. June 2019.
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/peru/>.
- 19 U.S. Department of State. Trafficking in Persons Report- 2017: Peru. Washington, DC. June 27, 2017.
<https://www.state.gov/reports/2017-trafficking-in-persons-report/peru/>.
- 20 U.S. Embassy- Lima. Reporting. January 13, 2017.
- 21 Ministry of Labor official. Interview with USDOL official. June 3, 2015.
- 22 Governorship of Amazonas official. Interview with USDOL official. June 1, 2015.
- 23 U.S. Embassy- Lima. Reporting. November 10, 2015.
- 24 Solidarity Center. PERU: Factory Fire Exposes Forced, Child Labor. June 30, 2017.
<https://www.solidaritycenter.org/peru-factory-fire-exposes-forced-child-labor/>.
- 25 AJ+. Inside The Underage Sex Trafficking Brothels Of Peru's Illegal Gold Mines. January 21, 2017.
https://www.youtube.com/watch?v=JJo6o_2jlvU&feature=youtu.be.
- 26 Global Initiative against Transnational Organized Crime. Case Study: Illicit Gold Mining in Peru. November 2017.
<http://globalinitiative.net/wp-content/uploads/2017/11/tgiatoc-case-study-peru-1878-web-lo-res.pdf>.
- 27 Andina. Peru Police razes 184 illegal mining camps in latest crackdown. July 11, 2017.
<http://www.andina.com.pe/Ingles/noticia-peru-police-razes-184-illegal-mining-camps-in-latest-crackdown-674356.aspx>.
- 28 U.S. Embassy- Lima official. Email correspondence to USDOL official. July 5, 2019.
- 29 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Peru (ratification: 2002) Published: 2017. Accessed October 11, 2017.
http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298432.
- 30 UN General Assembly. National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21. August 23, 2017: A/HRC/WG.6/28/PER/1.
<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/245/31/PDF/G1724531.pdf?OpenElement>.
- 31 Government of Peru. Ley que Modifica el Artículo 51 de la Ley No. 27337, Law No. 27571. Enacted: December 4, 2001.
http://www.mintra.gob.pe/contenidos/legislacion/dispositivos_legales/ley_27571.htm.
- 32 Government of Peru. Ley que Aprueba el Nuevo Código de los Niños y Adolescentes, No. 27337. Enacted: August 2, 2000.
<https://www.mimp.gob.pe/files/direcciones/dga/nuevo-codigo-ninos-adolescentes.pdf>.
- 33 Government of Peru. Decreto Supremo, No. 003-2010-MIMDES.
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/96104/113460/F73813669/PER96104.pdf>.
- 34 Government of Peru. Ley contra la Trata de Personas y el Tráfico Ilícito de Migrantes, Law No. 28950. Enacted: January 16, 2007.
<http://hrlibrary.umn.edu/research/Peru-28950> Ley conra la trata de personas y el trafico ilicito de migrantes.pdf.
- 35 Government of Peru. Código Penal, No. 635. Enacted: August 4, 1991.
<http://spij.minjus.gob.pe/CLP/contenidos.dll?f=templates&fn=default-codpenal.htm&vid=Ciclope:CLPdemo>.
- 36 Government of Peru. Ley que perfecciona la tipificación del delito de trata de personas, Ley No. 30251. Enacted: October 20, 2014.
http://www.mef.gob.pe/contenidos/servicios_web/conectamef/pdf/normas_legales_2012/NL20141021.pdf.
- 37 Government of Peru. Constitución Política del Perú. Enacted: 1993.
<http://www2.congreso.gob.pe/congreso/Constitución-Política-08-09-09.doc>.
- 38 Government of Peru. Modificación del Código Penal, No. 28251. Enacted: August 4, 2004. Source on file.
- 39 Peruvian Ministry of Labor official. Official communication to USDOL official. January 21, 2014.
- 40 Government of Peru. Ley que protege a las niñas, niños y adolescentes de la mendicidad, No. 28190. Enacted: February 26, 2004.
[http://www2.congreso.gob.pe/sicr/cendocbib/con3_uibd.nsf/BA2E8C56206D9C0E0525786500711261/\\$FILE/28190.pdf](http://www2.congreso.gob.pe/sicr/cendocbib/con3_uibd.nsf/BA2E8C56206D9C0E0525786500711261/$FILE/28190.pdf).
- 41 Government of Peru. Ley del Servicio Militar, No. 27178. Enacted: September 28, 1999.
<http://www.resdal.org/Archivo/d0000281.htm>.
- 42 Government of Peru. Ley General de Educación, Ley No. 28044. Enacted: July 28, 2003.
http://www.minedu.gob.pe/p/ley_general_de_educacion_28044.pdf.
- 43 Government of Peru. Written Communication. April 5, 2013. Source on file.
- 44 Government of Peru. Reglamento de la Ley General de Educación, Decreto Supremo N 011-2012-ED. Enacted: July 6, 2012.
http://www.minedu.gob.pe/files/3926_201207101510.pdf.
- 45 U.S. Embassy- Lima. Reporting. January 21, 2016.
- 46 Government of Peru. Gobierno promulgó ley de creación de la Superintendencia Nacional de Fiscalización Laboral. Ministerio de Trabajo y Promoción del Empleo, Accessed April 15, 2014.
<http://noticias.rse.pe/?p=7556>.
- 47 Government of Peru. Ley que crea la Superintendencia Nacional de Fiscalización Laboral (SUNAFIL). January 14, 2013.
[http://www2.congreso.gob.pe/sicr/cendocbib/con4_uibd.nsf/7912BA62252D6E7105257E2A0056FE13/\\$FILE/10_LEY_29981_15_01_2013.pdf](http://www2.congreso.gob.pe/sicr/cendocbib/con4_uibd.nsf/7912BA62252D6E7105257E2A0056FE13/$FILE/10_LEY_29981_15_01_2013.pdf).
- 48 Government of Peru. Written Communication. Submitted in response to U.S. Department of Labor Federal Register Notice (October 27, 2015) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." January 5, 2016. Source on file.
- 49 Government of Peru. Intendencias Regionales. SUNAFIL, Accessed January 25, 2017.
<http://www.sunafil.gob.pe/portal/intendentes-regionales>.
- 50 Andina. Sunafil inaugura sede en Ayacucho en beneficio de 90,000 trabajadores. January 8, 2018.
<https://andina.pe/agencia/noticia-sunafil-inaugura-sede-ayacucho-beneficio-90000-trabajadores-707466.aspx>.
- 51 USDOL official. Observation Report. January 27, 2014.
- 52 Government of Peru. Written Communication. Submitted in response to USDOL Request for Information about Child and Forced Labor. January 20, 2014. Source on file.
- 53 Government of Peru. Sunafil crea grupo especializado de inspectores para prevenir y erradicar el trabajo forzoso e infantil. January 10, 2018.
<https://www.sunafil.gob.pe/noticias/item/5895-sunafil-crea-grupo-especializado-de-inspectores-para-prevenir-y-erradicar-el-trabajo-forzoso-e-infantil.html>.
- 54 U.S. Embassy- Lima. Reporting. January 24, 2012.
- 55 Government of Peru. Ley de Fortalecimiento del Sistema de Inspección del Trabajo. July 9, 2018.
<https://busquedas.elperuano.pe/download/url/ley-de-fortalecimiento-del-sistema-de-inspeccion-del-trabajo-ley-n-30814-1667539-1>.
- 56 U.S. Embassy Lima official. Email communication to USDOL official. May 27, 2016.

- 57 Government of Peru. Written Communication. Submitted in response to USDOL Request for Information about Child and Forced Labor. January 28, 2013. Source on file.
- 58 Government of Peru. Línea contra la trata de personas 0800-2-3232. Ministry of the Interior, Accessed April 15, 2014. Previously online.
- 59 Government of Peru. Dirección General de Niñas, Niños y Adolescentes - ¿Quiénes Somos? Ministerio de la Mujer y Poblaciones Vulnerables, Accessed February 17, 2017. <http://www.mimp.gob.pe/homemimp/direcciones/dgna/pagina-dgna.php>.
- 60 Government of Peru. Written Communication. Submitted in response to U.S. Department of Labor Federal Register Notice (November 13, 2014) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." January 27, 2015. Source on file.
- 61 ILO-IPEC. From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project). 2019: Technical Progress Report. Source on file.
- 62 Government of Peru. Decreto Supremo que establece normas complementarias para la transferencia temporal de competencias, funciones, personal y acervo documentario de los Gobiernos Regionales a la Superintendencia Nacional de Fiscalización Laboral. October 30, 2018. <https://busquedas.elperuano.pe/download/url/decreto-supremo-que-establece-normas-complementarias-para-la-decreto-supremo-n-012-2018-tr-1707407-8>.
- 63 El Peruano. Pleno del Congreso aprueba fortalecimiento de la Sunafil. June 4, 2018. <https://elperuano.pe/noticia-pleno-del-congreso-aprueba-fortalecimiento-de-sunafil-65372.aspx>.
- 64 Government of Peru. MTPE Resolución No. 005-2018-SUNAFIL. January 10, 2018. Source on file.
- 65 Government of Peru. Viceministro de Trabajo inaugura sede de Sunafil en Ayacucho que beneficiará a 90 mil trabajadores. April 20, 2018. <https://www.gob.pe/institucion/mtpenoticias/6087-viceministro-de-trabajo-inaugura-sede-de-sunafil-en-ayacucho-que-beneficiara-a-90-mil-trabajadores>.
- 66 Government of Peru. MTPE y OIT capacitan a más de 50 inspectores sobre derechos fundamentales y seguridad y salud en el trabajo. May 25, 2018. <https://www.gob.pe/institucion/mtpenoticias/3256-mtpe-y-oit-capacitan-a-mas-de-50-inspectores-sobre-derechos-fundamentales-y-seguridad-y-salud>.
- 67 U.S. Embassy Lima official. Email communication to USDOL official. June 14, 2018.
- 68 CIA. The World Factbook. Accessed January 29, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/fields/2095.html#131>.
- 69 ILO. Strategies and Practice for Labour Inspection. Committee on Employment and Social Policy. November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 70 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 71 ILO CEACR. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Peru (ratification: 2002) Published: 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3145230.
- 72 ILO CEACR. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Peru (ratification: 2002). Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298440.
- 73 ILO CEACR. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Peru (ratification: 2002). Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298436.
- 74 U.S. Department of Labor. Public Report of Review of U.S. Submission 2015_01. March 18, 2019. Source on file.
- 75 U.S. Department of Labor. Technical Assistance Progress Report_ Strengthening the Institutional Capacity of the Peruvian Labor Inspectorate System. April 30, 2019. Source on file.
- 76 U.S. Embassy- Lima. Reporting. January 10, 2014.
- 77 Government of Peru. Written Communication. Submitted in response to U.S. Department of Labor Federal Register Notice (September 30, 2016) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." December 13, 2016. Source on file.
- 78 Government of Peru, Defensoría del Pueblo. Gestión del Estado frente a la Minería Informal e Ilegal en el Perú. 2013. <http://www.defensoria.gob.pe/modules/Downloads/informes/varios/2013/Informe-N-001-2013-DP-AMASPPI-MA.pdf>.
- 79 GOP Ministerio del Interior. Comisión multisectorial coordina acciones para fortalecer la lucha contra la trata de personas y el tráfico ilícito de migrantes. May 9, 2018. <https://www.mininter.gob.pe/content/comision-multisectorial-coordina-acciones-para-fortalecer-la-lucha-contra-la-trata-de>.
- 80 Government of Peru. Ministra de Trabajo y empresarios unen esfuerzos para combatir el trabajo infantil en el Perú. Ministerio de Trabajo, February 20, 2015. <http://www.mintra.gob.pe/mostrarnoticias.php?codNoticia=4163>.
- 81 Government of Peru. II Plan Nacional para la Lucha contra el Trabajo Forzoso 2013-2017. 2013. Source on file.
- 82 U.S. Embassy- Lima. Reporting. January 13, 2015.
- 83 Government of Peru. Decreto Supremo que aprueba el protocolo intersectorial contra el trabajo forzoso, Decreto Supremo N° 011-2014-TR. Enacted: October 2, 2014. http://www.mintra.gob.pe/archivos/file/SNIL/normas/2014-10-03_011-2014-TR_3715.pdf.
- 84 Government of Peru. Decreto Supremo que aprueba el Plan Nacional contra la Trata de Personas 2017-2021. 2017. <https://busquedas.elperuano.pe/normaslegales/decreto-supremo-que-aprueba-el-plan-nacional-contra-la-trata-decreto-supremo-n-017-2017-in-1530366-1/>.
- 85 Government of Peru. Plan Nacional Contra la Trata de Personas (2017-2021). 2017. https://www.mininter.gob.pe/sites/default/files/PLAN_NACIONAL_CONTRA_LA_TRATA_DE_PERSONAS_2017-2021.pdf.
- 86 U.S. Department of Labor. Consolidating and Disseminating Efforts to Combat Forced Labor in Brazil and Peru. Technical Cooperation Project Summary. http://www.dol.gov/ilab/projects/summaries/RegionalBrazilPeru_ForcedLabor.pdf.
- 87 U.S. Department of Labor. From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project). 2015: Statement of Work. Source on file.
- 88 U.S. Department of Labor. Proyecto Semilla (Seed Project) Combating Exploitative Rural Child Labor in Peru. Technical Cooperation Project Summary. http://www.dol.gov/ilab/projects/summaries/Peru_CECL.pdf.
- 89 ILO-IPEC. Global Research on Child Labor Measurement and Policy Development (MAP). April 2014: Technical Progress Report. Source on file.

MODERATE ADVANCEMENT

- 90 ILO-IPEC Geneva official. Email communication to USDOL official. February 9, 2017.
- 91 Ministerio de Trabajo y Promocion del Empleo. Unidos por un Peru libre de trabajo infantil. June 2017.
<http://www3.vivienda.gob.pe/documentos/ogc/triptico-dia-mundial-jun-2017.pdf>.
- 92 El Peruano. Para disminuir el trabajo infantil. June 14, 2017.
<http://www.elperuano.pe/noticia-para-disminuir-trabajo-infantil-56707.aspx>.
- 93 Government of Peru. Programa Nacional Yachay. Ministerio de la Mujer y Poblaciones Vulnerables, Accessed April 13, 2016.
<https://plataformacelac.org/programa/1234>.
- 94 Government of Peru. Programa Educadores de Calle. Accessed April 15, 2014. Source on file.
- 95 U.S. Embassy Lima official. Email communication to USDOL official. June 13, 2017.
- 96 Government of Peru. MIMP: 500 niñas, niños y adolescentes del servicio Educadores de Calle disfrutaron de show navideño. December 16, 2018.
<https://www.gob.pe/institucion/mimp/noticias/23736-mimp-500-ninas-ninos-y-adolescentes-del-servicio-educadores-de-calle-disfrutaron-de-show-navideno>.
- 97 Nacional. Mil familias usuarias del servicio educadores de calle participaron de jornada de integración. October 27, 2018.
<https://www.radionacional.com.pe/informa/locales/mil-familias-usuarias-del-servicio-educadores-de-calle-participaron-de-jornada-de-integracion>.
- 98 Government of Peru. Tablero de Control- JUNTOS. Accessed April 15, 2014.
http://infomidis.midis.gob.pe/tablero/JUNTOS/P_Descripcion.html.
- 99 Government of Peru. Ministerio de Trabajo continúa con acciones para erradicar explotación laboral infantil en el norte del país. Ministerio de Trabajo, Accessed March 27, 2015. Source on file.

In 2018, the Philippines made a moderate advancement in efforts to eliminate the worst forms of child labor. The government commenced a nationwide profiling of child laborers and issued Administrative Order No. 142-18, *Guidelines on the Profiling of Child Laborers and Provision of Service to Remove Them from Child Labor*, to harmonize the process of removing children from child labor and referring them to appropriate services. It permanently closed down a motel that was found to engage children in prostitution and obscene shows, and approved the *Guidelines on the Management of Compensation for Victim-Survivors of Online Sexual Abuse and Exploitation of Children*. However, children in the Philippines engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in armed conflict. Children also perform dangerous tasks in agriculture and gold mining. Although the government made meaningful efforts in all relevant areas during the reporting period, the government did not adequately protect children engaged in drug trafficking from inappropriate incarceration, penalties, or physical harm. In addition, the enforcement of child labor laws remains challenging, especially due to the limited number of inspectors, lack of resources for inspections, and inspectors' inability to assess penalties.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Philippines engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in armed conflict. Children also perform dangerous tasks in agriculture and gold mining. (1-8) The Survey on Children indicated that 3.2 million children ages 5 to 17 years engage in child labor, of which approximately 3 million engage in hazardous work. (9) Table 1 provides key indicators on children's work and education in the Philippines.

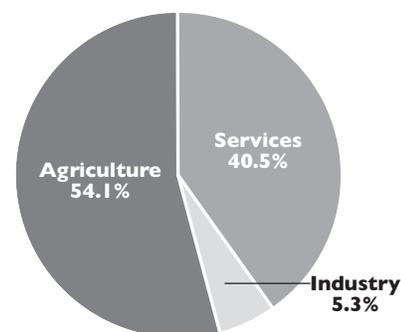
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	7.5 (1,549,677)
Attending School (%)	5 to 14	93.7
Combining Work and School (%)	7 to 14	7.8
Primary Completion Rate (%)		104.0

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (10)

Source for all other data: International Labor Organization's analysis of statistics from Survey on Children (SOC), 2011. (11)

Figure 1. Working Children by Sector, Ages 5-14



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

Philippines

MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Agriculture	Production of sugarcane,† including growing, weeding, harvesting,† cutting,† and carrying sugarcane bundles† (1-3,8,12-14)
	Growing bananas, coconuts, corn, rice, rubber, and tobacco (1,8,13-15)
	Hog farming (13,14)
	Production of palm oil, including harvesting,† hauling,† and loading palm oil fruits (1,13)
	Deep-sea fishing† (8,13,16)
Industry	Mining† and quarrying,† including for gold and nickel (1,6,8,12,16-19)
	Manufacturing pyrotechnics† (8,16,20)
	Construction,† activities unknown (8,21,22)
	Production of fashion accessories (8,20)
Services	Domestic work (8,12,14,23,24)
	Street work, including scavenging, selling flowers, and begging (3,8,25-27)
	Scavenging in dumpsites† and in rivers (16,28,29)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (8,23,27,30-33)
	Forced labor, including domestic work, sometimes as a result of human trafficking (4,23)
	Recruitment of children by non-state armed groups for use in armed conflict (7,8)
	Forced begging (8,27,34)
	Use in illicit activities, including in the distribution, procurement, and sale of drugs, including methamphetamine (<i>shabu</i>) (8,27,34-36)

† 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.

The use of children in illicit activities, specifically in the distribution, procuring, and selling of drugs, including a cheap methamphetamine known as *shabu*, has become a cause for concern in the Philippines. (7,9,27,34,35,37) The government continued its anti-drug campaign, which began in 2016 and did not adequately protect children engaged in drug trafficking from inappropriate incarceration, penalties, or physical harm. (38-43)

Children, primarily girls, are trafficked domestically from rural communities to urban centers and tourist destinations for the purpose of domestic work and commercial sexual exploitation. (31,33,48) Research indicates that the Philippines is the top global Internet source of online commercial sexual exploitation of children (OSEC). Children are induced to perform sex acts at the direction of paying foreigners and local Filipinos for live Internet broadcasts which usually take place in small Internet cafes, private homes, or windowless dungeon-like buildings commonly known as “cybersex dens.” (8,32,33,49-54) According to data on OSEC victims collected by the International Justice Mission Philippines, the average age of victims was 16 to 18 years, and the median age of the victims at the time of rescue was 12. (8,33,55) Additionally, according to the most recent available data from 2018 the Philippines Department of Justice’s Office of Cybercrimes reviewed over 576,000 reports of online child abuse and cybercrimes from the National Center for Missing and Exploited Children. (8,54,56)

Child soldiering by non-government militias and terrorist organizations, predominately in the southern island of Mindanao, remains a concern. (7,8,32,57) In Marawi City, many children as young as age 7 were recruited, paid, and trained as fighters by the Maute Group, a terrorist organization linked to the Islamic State of Iraq and Syria (ISIS). Additionally, research suggests that the Abu Sayyaf Group, the Bangsamoro Islamic Freedom Fighters, the Moro National Liberation Front, the National Democratic Front of the Philippines, and the New People’s Army continue to recruit children from schools for use as human shields, cooks, and fighters, while offering religious education and material incentives to join. (8,32)

The most recent Functional Literacy, Education and Mass Media Survey, published in 2015 with 2013 data, indicated that 10.6 percent of all school-aged children did not attend school. The highest percentage of children not in school was in the Autonomous Region in Muslim Mindanao, where the total was 14.4 percent. (8,58) In an effort to facilitate Muslim youth school attendance, the government conducted outreach activities to

help facilitate a welcome environment in public schools for Muslim students, including a provision to include instructional materials and modules for the Arabic Language and Islamic Values Education program. (8) Additionally, the Department of Education increased the budget for schools in Mindanao. (59)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Philippines 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's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 137 of the Labor Code as renumbered; Section 12 of the Special Protection of Children Against Child Abuse, Exploitation, and Discrimination Act; Section 16 of the Act Instituting Policies for the Protection and Welfare of Domestic Workers (60-62)
Minimum Age for Hazardous Work	Yes	18	Article 137 of the Labor Code as renumbered; Section 12-D of the Special Protection of Children Against Child Abuse, Exploitation, and Discrimination Act (61-63)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Department Order 149 on Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons Below 18 Years of Age; Department Order 149A on Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons Below 18 Years of Age; Sections 12-D and 14 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act (8,63-65)
Prohibition of Forced Labor	Yes		Sections 4-5 of the Expanded Anti-Trafficking in Persons Act; Sections 12-D and 16 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act (63,66)
Prohibition of Child Trafficking	Yes		Sections 4-5 of the Expanded Anti-Trafficking in Persons Act; Sections 12-D and 16 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act (63,66)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 11 of the Free Internet Access in Public Places Act; Sections 12-D and 16 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act; Section 4 of the Anti-Child Pornography Act; Section 4 of the Cybercrime Prevention Act (63,67,68)
Prohibition of Using Children in Illicit Activities	Yes		Sections 12-D and 16 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act; Sections 5 and 8 of the Comprehensive Dangerous Drugs Act (63,69)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 12 in the Providing for the Development, Administration, Organization, Training and Maintenance and Utilization of the Citizen Armed Forces of the Philippines, and for Other Purposes Act (70)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Section 14 in the Providing for the Development, Administration, Organization, Training and Maintenance and Utilization of the Citizen Armed Forces of the Philippines, and for Other Purposes Act (70)

Philippines

MODERATE ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 12-D and 16 in the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act (63)
Compulsory Education Age	Yes	18‡	Section 4 of the Enhanced Basic Education Act (71)
Free Public Education	Yes		Section 2 of the Philippine Constitution (72)

* No conscription (70)

‡ Age calculated based on available information (71)

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.

During the reporting period, the Institute of Government and Law Reform at the University of the Philippines Law Center established a Labor Code Revision Committee tasked with formulating proposed amendments to the existing Labor Code, and invited Department of Labor and Employment (DOLE) to discuss the minimum age for work. In December 2018, proposed amendments to Republic Act No. 9231 commenced with support from the ILO. (8) Additionally, the Bureau of Working Conditions met with the ILO to discuss hazardous forms of child work. (74) The initial stages of development on proposed amendments to Republic Act No. 9231 began in December 2018, with support from the ILO, and will continue with a roundtable discussion with stakeholders in early 2019. (8)

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 authority of the DOLE that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor and Employment (DOLE) - Bureau of Working Conditions	Enforces child labor and child trafficking laws. (33) Regularly trains inspectors and regional personnel. (8,79) Inspects establishments and monitors compliance with labor laws in the formal sector. (79) Registers DOLE enforcement activities using the Labor Law Compliance System, a management information system. (80) During the reporting period, hired 36 additional labor inspectors and is expected to hire an additional 100 labor inspectors by the end of 2019. (8,74) Additionally, in 2018, reported having removed 58 children from hazardous work situations and referred some families for livelihood assistance during the reporting period. (32)
Department of Labor and Employment (DOLE) - Bureau of Workers with Special Concerns (BWSC)	Oversees the profiling of child laborers. (74) Mandated to develop policies, programs, and systems. Provides advisory and technical assistance to the Labor Secretary and Regional Offices. (81)
Department of Social Welfare and Development (DSWD)	Rehabilitates and reintegrates child laborers. Coordinates regional Special Action Units, with at least one dedicated staff member per region to conduct rescue operations for child laborers, and cooperates with social workers to manage ongoing cases. Maintains 16 Crisis Intervention Units, operates 44 temporary or residential care facilities nationwide, and maintains social media accounts to address cases of child abuse and support child abuse victims, including children exploited in hazardous labor. (16,33,34) As of November 2018, DSWD provided assistance to 446 child laborers. (8)
Philippine National Police (PNP)	Investigates and prosecutes cases related to the worst forms of child labor. (8,12) In the case of the Women and Children's Protection Center (WCPC), enforces laws on child trafficking and commercial sexual exploitation of children. (12) Oversees the Internet Crimes Against Children Center, within the Anti-Trafficking in Persons Division of the PNP. (82)

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Rescue the Child Laborers Quick Action Teams (<i>Sagip Batang Manggagawa</i> – SBM QAT)	Leads the regional mechanism for rescuing children who work in exploitative situations. (83) Detects, monitors, and responds to incidents of child labor using a cooperative and inter-agency approach. (8,34,83) Chaired by DOLE. (83) During the reporting period, rescued 25 child laborers with 20 children removed from 3 establishments engaged in prostitution or obscene shows, and 5 children engaged in hazardous work. (8,33) To date SBM QAT has rescued 3,656 child laborers. (8)
National Bureau of Investigation (NBI)	Investigates and prosecutes child labor cases. (8,84,85) Operates a national Trafficking in Persons Task Force and a Task Force on the Protection of Children from Exploitation and Abuse. (84,85) During the reporting period, developed a NBI Manual and Standard Operating Procedures for trafficking in persons and OSEC cases. (33)
Philippine Drug Enforcement Agency (PDEA)	Enforces the Comprehensive Dangerous Drugs Act. (8,12) Maintains a national hotline for reporting cases of children used in illicit activities. Coordinates with the DSWD to assist during rescue operations. (12)
National Telecommunications Commission	Enforces the Anti-Child Pornography Law. Coordinates with Internet Service Providers to block websites containing child pornographic material. (67,75)
Department of Justice - Office of Cybercrime	Receives CyberTips reports from the U.S.-based National Center for Missing and Exploited Children regarding potential OSEC cases, conducts initial investigation into CyberTips, prioritizes cases, then sends cases to the PNP's Internet Crime Against Children Center for follow-up. (86) Launched in 2015. Comprised of legal and investigative divisions. (86)
Philippine Internet Crimes Against Children Center (PIACC) - WCPC, PNP*	Aims to combat the online sexual exploitation of children. Comprises the PNP WCPC and NBI Anti-Human Trafficking Division. Coordinates international investigations with the United Kingdom's National Crimes Agency (UK NCA) and the Australian Federal Police (AFP). (54,87,88) Receives funding from the UK NCA, AFP, and the U.S. Government. (54,87) Established in 2019. Function of the Anti-Trafficking in Persons Division within the PNP WCPC. (87)
Department of Information and Communication Technology - Cybersecurity Bureau	Provides preventative technological assistance to law enforcement and protects cybersecurity of Filipino citizens. (78) Oversees an anti-OSEC program comprised of awareness-raising programs, computer software, website monitoring, cybersecurity, and Visible Internet application. In October 2018, created an anti-OSEC video for communities, in collaboration with the Philippines Online Corporation. (78) Coordinated efforts with the Inter-Agency Council Against Child Pornography, and consulted with telecommunications companies and civil society organizations to produce the National Cybersecurity Strategy. (76,77,78) Launching an online hotline to report OSEC cases in collaboration with the National Computer Emergency Response Team in 2019. (78)

* Agency responsible for child labor enforcement was created during the reporting period.

Steps have been taken by the Philippine Drug Enforcement Agency (PDEA) and the Department of Social Welfare and Development (DSWD) to continuously monitor children involved in drug trafficking, making efforts to turn them over to juvenile detention centers, or “houses of hope” (*Bahay ng Pag-asa*), within 8 hours of the conclusion of their court proceedings. DSWD maintains that child victims of the anti-drug campaign are not placed in jail with adult criminals. (8,42) It has been reported that children in these detention centers are subjected to physical and emotional abuse, deprived of liberty, and forced into overcrowded and unhygienic cells. (42-46)

According to the PDEA, between January and October 2018, they rescued 793 minors during anti-drug operations nationwide. (8) The Presidential Communications Operations Office attested that, between July 2016 and November 2018, law enforcement arrested 1,861 minors for drug-related crimes. (8) There was a report that some children arrested for drug-related offenses claimed to have been beaten and abused by police, and forced to be photographed with drugs planted by police. (43,47) According to the Children’s Legal Rights and Development Center, Inc., from January through July 2018, 18 children were victims of extrajudicial killings, bringing the total to 110 children killed since the beginning of the anti-drug campaign in 2016. (8,43)

In 2018, the DOLE issued two Administrative Orders related to child labor. (8) In March, DOLE issued Administrative Order No. 142–18, Guidelines on the Profiling of Child Laborers and Provision of Service to Remove Them from Child Labor, to harmonize the process of removing children from child labor, referring them to the appropriate agency, and assisting them with all necessary service(s) and intervention. (8,73) In October, DOLE issued Administrative Order No. 551, creating the Task Force Against Illegal Recruitment, Recruitment of Minor Workers, and Trafficking in Persons. This DOLE-led task force will allow the agency to have a more focused, concerted, coordinated, and effective program of action to help eliminate illegal recruitment, recruitment of minor workers, and trafficking in persons. (8)

Philippines

MODERATE ADVANCEMENT

Labor Law Enforcement

In 2018, labor law enforcement agencies in the Philippines took actions to combat child labor (Table 6). However, gaps exist within the authority of the DOLE that may hinder adequate labor law enforcement, including penalty assessment authority.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$3,450,260 (7)	\$3,017,240 (8)
Number of Labor Inspectors	574 (7)	610 (8)
Inspectorate Authorized to Assess Penalties	No (7)	No (8)
Initial Training for New Labor Inspectors	Yes (7)	Yes (8)
Training on New Laws Related to Child Labor	Yes (7)	Yes (8)
Refresher Courses Provided	Yes (7)	Yes (8)
Number of Labor Inspections Conducted	60,732 (89)	58,091 (8)
Number Conducted at Worksite	Unknown	Unknown (8)
Number of Child Labor Violations Found	52 (7)	Unknown (8)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (8)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (8)
Routine Inspections Conducted	Yes (7)	Yes (8)
Routine Inspections Targeted	Yes (7)	Yes (8)
Unannounced Inspections Permitted	Yes (7)	Yes (8)
Unannounced Inspections Conducted	Yes (7)	Yes (8)
Complaint Mechanism Exists	Yes (7)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (8)

DOLE's Bureau of Working Conditions exceeded its initial target of 54,530 labor inspections, but enforcement of child labor laws remains challenging due to the lack of resources for inspections and the limited number of inspectors, especially in rural areas where many vendors are unregistered and highly mobile. (8,16,34,80) The number of labor inspectors is likely insufficient for the size of the Philippines's workforce, which includes approximately 42 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, the Philippines would employ about 2,852 labor inspectors. (8,90,91)

Scheduling routine inspections is based on the national target set by the DOLE Central Office, with regional offices implementing their inspections based on factors such as prevailing industries and geographical areas. (8,74) Despite this, enforcement of child labor protections is not sufficient for children employed in the informal sector and in small and medium-size enterprises, particularly in agriculture, due to DOLE's lack of capacity and resources. (8,53,92) While the Rescue the Child Laborers Quick Action Teams (SBM QATs) are permitted to conduct unannounced compliance visits in video karaoke bars, massage parlors, sauna and bath houses, and farms, they are not authorized to conduct visits in private homes to search for underage child domestic workers. (8,80) In March 2018, DOLE permanently closed down a motel that was found to engage children in prostitution or obscene shows.

The government did not provide information on its labor law enforcement efforts relating to the number of worksite inspections conducted, and the number of child labor violations found, penalties imposed, and penalties collected.

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in the Philippines took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal law enforcement agencies that may hinder adequate criminal law enforcement, including training of investigators. In addition, the government continued its anti-drug

campaign, which began in 2016, and did not ensure that children in the worst forms of child labor were protected from inappropriate incarceration, penalties, or physical harm. (38,40,53,93,94)

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Unknown (8)
Training on New Laws Related to the Worst Forms of Child Labor	No (7)	No (8)
Refresher Courses Provided	Yes (95)	Unknown (8)
Number of Investigations	75 (7)	124 (8)
Number of Violations Found	25 (7)	Unknown (8)
Number of Prosecutions Initiated	25 (7)	Unknown (8)
Number of Convictions	3 (7)	Unknown (8)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (54)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (8)

Police and armed persons killed children suspected of being involved in drug dealing. (7,47,96,97) In addition, there were collateral deaths of children caught in the crossfire during police operations connected to the drug war. (47,94,97,98) Some high-level government officials have suggested that killing suspected drug traffickers and users was necessary to wipe out drug-related crime, increasing the vulnerability of children being used in the drug trade. (39,47,94,99-101) Three police officers implicated in the drug war-related killing of a minor were charged with murder and later convicted. (38,46,54,93-95,102) The Philippine National Police (PNP) refer children involved in drug trafficking to the DSWD to receive shelter or rehabilitation programs. (8,36)

The government did not provide information on its criminal law enforcement efforts including whether initial training was provided for new employees, if refresher courses were offered, the number of violations found, prosecutions initiated, and convictions.

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 the structure, functions, and funding of the National Child Labor Committee.

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

Coordinating Body	Role & Description
National Child Labor Committee (NCLC)	Coordinates national efforts to combat child labor. Chaired by DOLE. (8,103) Promotes information-sharing at the national, regional, and provincial levels. Comprises 16 government agencies, workers' organizations, 1 employers' group, and 1 umbrella NGO. (103) During the reporting period, conducted three regular meetings, and two special meetings. (54)
Inter-Agency Council Against Trafficking (IACAT)	Oversees the 1343 Actionline emergency hotline for trafficking in person victims. (33) Coordinates, monitors, and oversees efforts to combat human trafficking, including child trafficking. Co-chaired by the Department of Justice and the DSWD. (8,12,33,85) Comprises 24 anti-human trafficking task forces established in 8 regions and 7 interagency task forces in major seaports and airports. (12,16,80) In 2018, created eight new positions, expanding to 127 personnel with 13 additional staff assigned to Regional Task Forces in support of anti-TIP operations. During the reporting period, started its first year of implementation of the Prosecutor's Trafficking in Persons Case Management System (PTCMS). (33)
Inter-Agency Council for the Welfare of Children (CWC)	Operates a monitoring and response system to assist children engaged in armed conflict. (12) Initiates, promotes, and advocates policies and measures protecting children's rights. (8) In 2018, developed web-based system for reporting incidents of children in armed conflict, in order to implement the Monitoring, Reporting and Response System (MRRS). (33)
Inter-Agency Committee on Children Involved in Armed Conflict (IAC-CIAC)	Advocates for protecting children and preventing the involvement of children in armed conflict. Chaired by the CWC. (80) Coordinates and monitors the implementation of the Children in Armed Conflict Program Framework. (12) In 2018, developed an Advocacy and Communication Plan for children in armed conflict. (33)

Philippines

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
Inter-Agency Council Against Child Pornography (IACACP)	Serves as the primary government coordinating mechanism to address child pornography. (8) Monitors and implements the Anti-Child Pornography Act. (104) Comprises 12 government agencies and 3 NGOs. (103) Chaired by the DSWD. (105) During the reporting period, approved the Guidelines on the Management of Compensation for Victim-Survivors of Online Sexual Abuse and Exploitation of Children. (33)
Juvenile Justice and Welfare Council	Leads community outreach and education efforts, through offices located throughout the country, to prevent the use of children in illicit activities, including drug trafficking. Manages livelihood, rehabilitation, food, and scholarship programming. (36) Overseen by DSWD. (106) During the reporting period, delivered on its targets and programs toward the achievement of its strategic outcomes, as well as the completion of three research studies. (54)
Task Force Against Illegal Recruitment, Recruitment of Minor Workers, and Trafficking in Persons*	Addresses illegal recruitment, recruitment of minor workers, and trafficking in persons. Coordinates all DOLE programs and initiatives (8) Chaired by the DOLE. (8)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

The draft executive order submitted by DOLE's Secretary to the Acting Head of the Presidential Management Staff that aims to reorganize the National Child Labor Committee (NCLC), redefine its functions, and allocate funds to support its projects and activities, thus accelerating the elimination of child labor in the Philippines, has not yet been signed by President Duterte. (7,8,74,103,107)

Additionally, during the reporting period, the Government of the Philippines revived formal coordination meetings with the UN regarding incidents of grave violation against children. These meetings sought to further understanding on how to respond appropriately to such cases. (8)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Philippine Program Against Child Labor (2017–2022)	Aims to remove at least 630,000 children from child labor by the year 2022. (108,109) Implementation led by DOLE's BWSC. (110) This policy was active during the reporting period. (54)
National Strategic Action Plan Against Trafficking in Persons (2017–2021)	Aims to address labor trafficking and sex trafficking, including the online sexual exploitation of children. (111) This policy was active during the reporting period. (54)
Philippine Development Plan (2017–2022)	Aims to build the socio-economic resilience of individuals and families by reducing their vulnerability to various risks and disasters; this includes the goal of universal social protection for all Filipinos. (7) Aims to reduce the number of children engaged in child labor by 30 percent or roughly 630,000 children. (103) This policy was active during the reporting period. (54)
National Strategic Framework for Plan Development for Children (Child 21) (2000–2025)	Sets out broad goals for national government agencies, local governments, and NGOs to achieve improved quality of life for Filipino children by 2025. (85,113) Addresses concerns related to the worst forms of child labor under the section on children in need of special protection. (16) Chaired by the Council for the Welfare of Children. (8) This policy was active during the reporting period. (54)
Child Protection Compact Partnership (2017–2021)	Seeks to increase prevention efforts and protections for child victims of OSEC and labor trafficking, while holding perpetrators accountable. (114) Aims to improve the response to child trafficking, including live-streaming online of child sexual exploitation and child trafficking for labor purposes, by (1) increasing criminal investigations, prosecutions, and convictions; (2) strengthening the government's and civil society's capacities to identify and provide comprehensive services for victims; and (3) strengthening existing community-based mechanisms that identify and protect victims of child trafficking. (115,116) The government committing approximately \$800,000 for its implementation. (89,114) This policy was active during the reporting period. (54)

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
Philippine Plan of Action to End Violence Against Children (2017–2022)	Aims to gradually reduce violence against children through consultations with government institutions, local and international NGOs, civil society organizations, faith-based groups, professional associations, academe, private sector, parents, and children. (8,117) Consistent with Child 21 and the National Plan of Action for Children. Launched in November 2018 during the National Children’s Month celebration. (8) During the reporting period, government held a nationwide celebration of the 2018 World Day Against Child Labor; held a training on child labor for the Speakers Bureau and Writers Bureau, commenced profiling child laborers, and conducted four regular meetings of the NCLC. (8,54)
3rd National Plan of Action for Children (2017–2022)	Solidifies strategies, policies, and programs for children to achieve Child 21’s vision for Filipino children by 2025. Third and penultimate multi-sector, medium-term, rights-based, and results-oriented action plan. (8,113,118) This policy was active during the reporting period. (54)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (65,119,120)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that include the goal of eliminating child labor (Table 10). However, gaps exist in these social programs, including the provision of adequate services for victims of child pornography.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Labor Prevention and Elimination Program†	DOLE anti-child labor program that implements local awareness-raising campaigns; institutes child labor-monitoring mechanisms; and requires neighborhoods to develop child labor elimination plans. (8,121,122) Includes a provision of livelihood assistance to parents of child laborers, <i>Sagip Batang Manggagawa</i> , and Project Angel Tree. (8) Project Angel Tree is a social service with local government agency benefactors, known as “angels,” who provide educational supplies to communities. (74) In July 2018, DOLE commenced a nationwide profiling of child laborers, with the aim of identifying and establishing a master list of child victims and offering them the necessary and appropriate services to help them withdraw from child labor. (8,123) As of the end of 2018, regional offices had profiled 85,528 child laborers, 57 percent of its goal to profile 150,000 child laborers. (8,74) Additionally, during the reporting period, Project Angel Tree provided school supplies, hygiene kits, food packs, and medical assistance to 3,625 children. (8)
<i>Pantawid Pamilyang Pilipino</i> Program (Conditional Cash Transfer Program)†	DSWD program that provides conditional grants to poor families with children to improve their access to health care, adequate nutrition, and education using local awareness-raising campaigns and child labor-monitoring mechanisms. (8,121,122) ILO supported the inclusion of a child labor module to the Family Development sessions for program participants. (8,34,124) Covers 1,627 cities and municipalities in 79 provinces in all 17 regions. (8,80) During the reporting period, the ILO supported the inclusion of a child labor module to the Family Development sessions for program beneficiaries. (8)
Livelihood for Parents of Child Laborers (<i>Kabuhayan para sa Magulang ng Batang Manggagawa</i>)†	DOLE program that provides livelihood assistance to parents, guardians, or other family members of child laborers. Seeks to prevent and eliminate child labor by providing necessary materials to start a livelihood undertaking. During the reporting period, 4,054 parents of child laborers were provided with livelihood assistance. (54)
Recovery and Reintegration Program for Trafficked Persons (RRPTP)†	DSWD and IACAT program that provides recovery and reintegration services to victims of human trafficking and raises awareness in vulnerable communities. Includes the National Referral System, which strengthens coordination among agencies providing services to human trafficking victims through the use of standard referral and reporting forms. (126) There are 149 referral networks established in 16 regions. (34) The RRPTP program assisted 2,318 victim survivors during the reporting period. (54)
Alternative Learning System Program†	Department of Education program that offers non-formal education to out-of-school children, including child laborers and children displaced from military conflict, and opportunities to attain a certificate of education equivalency. Received between \$7–15 million and has assisted 500,000 children as of 2015. (127) This program was active during the reporting period. (54)

Philippines

MODERATE ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Strategic Helpdesks for Information, Education, Livelihood and Other Developmental Interventions (SHIELD) for Child Laborers	DSWD-led project implemented in 13 barangays in Catanduanes, Labo, Jose Panganiban, Paracale, Kananga, and Ormoc City, with support from the ILO CARING Gold Mining Project. Currently in a two year pilot, with official program launch in 2020. (74) Comprising three components including: (1) Child Labor Local Registry (CLLR); (2) Helpdesk and Convergence of Services; and (3) Advocacy, Organizing, and Capacity Building. (8,124) Focuses on areas with a high child labor incidence rate, with interventions based on data from the Child Labor Local Registry. (124) Utilizes three-pronged approach and multi-layered strategies to help eliminate the worst forms of child labor, particularly in the small-scale gold mining, deep sea fishing, and sugarcane industries. (8,128) During the reporting period, profiled 508 children through the CLLR, with 270 children found to be engaged in hazardous work, and 200 withdrawn from their situation. A total of 291 child laborers were removed from situations of the worst forms of child labor, falling short of the government's goal to remove 300 child laborers by the end of the calendar year. (8) Additionally, provided 446 child laborers with various services and interventions including, educational and livelihood assistance, medical assistance, birth registration, counselling, and other services. (8)
USDOL-Funded Projects	USDOL projects in the Philippines that aim to eliminate child labor in its worst forms, by improving the capacity of the national government, implementing the National Action Plan Against Child Labor, conducting research and data collection, developing strategic policies, drafting legislation, and supporting social services delivery for child domestic workers. These projects include "BuildCA2P: Building Capacity, Awareness, Advocacy and Programs Project" implemented by ChildFund International; "SAFE Seas", implemented by Plan International USA; "RICHES", implemented by the Grameen Foundation with the Philippines; "CARING Gold Mining Project", implemented by the ILO; "Building the Capacity of the Philippines Labor Inspectorate" implemented by the ILO; "Building a Generation of Safe and Healthy Workers: SafeYouth@Work" implemented by the ILO; "Country Level Engagement and Assistance to Reduce Child Labor (CLEAR)" implemented by the ILO; and "Closing the Child Labor and Forced Labor Evidence Gap: Impact Evaluations" implemented by Innovations for Poverty Action. (8,129-131,128) Additional information is available on the USDOL website.

† Program is funded by the Government of the Philippines.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (132,133)

Although programs exist to assist victims of human trafficking, the Philippines lacked sufficient programs to care for and rehabilitate children who have been victims of online commercial sexual exploitation, in large part because this is an emerging issue within the country. (34) In addition, there are not adequate programs to provide awareness of this crime and its impact on child victims. (49,51,52)

Although the government has implemented programs in small-scale mining, research found no evidence that it has carried out programs specifically designed to assist children engaged in commercial sexual exploitation, most notably, child pornography. (7,103) In addition, although the DSWD works in consultation with parents and community leaders to determine how best to assist children suspected of being involved in the drug trade, the DSWD does not have programs specifically designed to increase protections for or assistance to children engaged in drug trafficking to address their heightened vulnerability. (8)

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 the Philippines (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Authorize the labor inspectorate to assess penalties.	2015 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice, and increase resources available to provide sufficient coverage of the workforce, particularly in rural areas where child labor is prevalent.	2014 – 2018
	Build enforcement capacity to address child labor protections for children employed in the informal sector, including agricultural work.	2017 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish labor and criminal law enforcement information, including the number of labor inspections conducted at worksites, the number of child labor violations, the number of child labor violations for which penalties were imposed, the number of child labor penalties imposed that were collected; whether initial trainings or refresher trainings were conducted for new criminal investigators; and the number of violations, prosecutions, and convictions.	2015 – 2018
	Enhance efforts to prevent the inappropriate incarceration of, and violence against, children suspected to be engaged in the production and trafficking of drugs.	2017 – 2018
	Continue to prosecute law enforcement officials and civilians responsible for the killing of children engaged in the drug trade.	2017 – 2018
	Allow SBM-QAT to conduct unannounced compliance visits in private homes.	2018
Coordination	Issue the proposed executive order to restructure the National Child Labor Committee and ensure it has the legal mandate and resources necessary to effectively coordinate national efforts to combat child labor.	2015 – 2018
Social Programs	Institute a program to address and combat the sexual abuse and exploitation of children in the production of child pornography, including live streaming.	2017 – 2018
	Provide specialized care and rehabilitative services for children who have been victimized through sexual abuse and exploitation via live streaming and in the production of child pornography by their families.	2017 – 2018
	Develop programs to increase protections for and provide assistance to children engaged in drug trafficking to address their heightened vulnerability.	2017 – 2018
	Ensure that <i>Bahay ng Pag-asa</i> child detention centers in the Philippines do not subject children to physical or emotional abuse, and that centers are provided with adequate resources to remedy overcrowding and unhygienic conditions.	2017 – 2018

REFERENCES

- Palatino, Mong. Rising Child Labor Abuse in the Philippines. February 17, 2015. <http://thediplomat.com/2015/02/rising-child-labor-abuse-in-the-philippines/>.
- Torres, Joe. Chronic poverty is fueling child labor in the Philippines. January 29, 2015. <http://www.ucanews.com/news/chronic-poverty-is-fueling-child-labor-in-the-philippines/72891>.
- Torres, Joe, and Jeffrey Tupas. Not enough done to combat child labor in Philippines, critics say. June 15, 2015. <http://www.ucanews.com/news/not-enough-done-to-combat-child-labor-in-philippines-critics-say/73782>.
- ILO Committee of Experts. Individual Observation Concerning Forced Labour Convention, 1930 (No. 29) Philippines (Ratification: 2005) Published: 2014. Accessed: November 5, 2014. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3138887.
- United Nations Security Council. Report of the Secretary-General on children and armed conflict in the Philippines April 5, 2017. <https://reliefweb.int/sites/reliefweb.int/files/resources/NI1709255.pdf>.
- Human Rights Watch. “What ... if Something Went Wrong?”: Hazardous Child Labor in Small-Scale Gold Mining in the Philippines. 2015. <https://www.hrw.org/report/2015/09/29/what-if-something-went-wrong/hazardous-child-labor-small-scale-gold-mining#290612>.
- U.S. Embassy- Manila. Reporting. January 30, 2018.
- U.S. Embassy- Manila. Reporting. January 30, 2019.
- Government of the Philippines- National Statistics Office. The Number of Working Children 5 to 17 Years Old is Estimated at 5.5 Million (Preliminary Results of the 2011 Survey on Children). Accessed: February 14, 2015. <http://psa.gov.ph/content/number-working-children-5-17-years-old-estimated-55-million-preliminary-results-2011-survey>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Survey on Children, 2011. Analysis received March 12, 2019. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Manila. Reporting. January 17, 2014.
- Castro, Charita Libao. Child Sakadas in Philippine Agriculture: Researching Injury Hazards for Working Children in the Context of International Labor Standards and United States Foreign Policy [Ph.D. diss.] The George Washington University, 2007. Source on file.
- UCW. Understanding Child Labour and Youth Employment Outcomes in the Philippines. December 2015. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-manila/documents/publication/wcms_447853.pdf.
- Chavez, Jenina Joy, et al. The Economics of Tobacco Farming in the Philippines. 2016. <http://aer.ph/industrialpolicy/wp-content/uploads/2016/09/REPORT-The-Economics-of-Tobacco-Farming-in-the-Philippines-LAYOUT.pdf>.
- U.S. Embassy- Manila. Reporting. January 19, 2016.
- Center for Trade Union and Human Rights. Teens exposed to hazardous work in Surigao mining firm. September 1, 2014. <http://www.mindanaodailynews.com/teens-exposed-to-hazardous-work-in-surigao-mining-firm/>.
- Sabillo, K.A. Where have all the children gone? August 4, 2014. <http://newsinfo.inquirer.net/626282/where-have-all-the-children-gone>.
- Williams, Evan. Children of the Dirty Gold [Television Program]. June 16, 2015. <https://www.sbs.com.au/news/dataline/tvepisode/children-of-the-dirty-gold>.

Philippines

MODERATE ADVANCEMENT

- 20 Aldaba, F, et al. Employers' Demand for Child Labor in the Pyrotechnics and Fashion Accessories Industries in the Philippines. ILO, December 2005. Source on file.
- 21 Bernal, Buena. Negligence, child labor seen in Bulacan warehouse accident. February 5, 2015
<https://www.rappler.com/nation/81561-labor-offense-bulacan-warehouse-accident>.
- 22 Bernal, Buena. 3 child laborers rescued from Cebu construction site. June 30, 2015.
<https://www.rappler.com/nation/97930-child-laborers-rescued-cebu-construction-site>.
- 23 ILO. Application of International Labour Standards 2014 (1). 2014.
http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_235054.pdf.
- 24 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Philippines (Ratification: 2000) Published: 2014. Accessed: November 5, 2014.
https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:PI3100_COMMENT_ID:3139037.
- 25 Free the Slaves. Amihan Abueva: Fighting Child Sexual Exploitation in the Philippines [Film]. January 21, 2015.
<http://www.freetheslaves.net/video/freedom-awards-2008-amihan-abueva-philippines-william-wilberforce-award-winner/>.
- 26 Nacnac, Denise and Michael Valera. On Trinoma-SM footbridge, boy sells flowers and reads his way to school. November 23, 2016.
<https://www.rappler.com/move-ph/153210-young-brothers-sell-sampaguita-food-school-allowance>.
- 27 Badilla, Nelson. Child labor: A problem ignored. The Manila Times. October 3, 2015.
<http://www.manilatimes.net/child-labor-a-problem-ignored/221982/>.
- 28 Catholic News Online. Filipino Children Forced to Scavenge Through Rubbish for Pennies a Day. July 5, 2015.
<http://www.catholic.org/news/international/asia/story.php?id=61759>.
- 29 Pickles, Kate. Beneath the poverty line: Horrific pictures of Filipino children sifting through rivers of rubbish in desperate bid to find something to sell. Daily Mail, July 3, 2015.
<http://www.dailymail.co.uk/news/article-3148193/Beneath-poverty-line-Children-Philippines-risk-lives-sifting-floating-rubbish-filthy-rivers-material-sell-survive.html>.
- 30 Lowe, Aya. Philippines Faces Hurdles to Shut Down Sex Trafficking. August 15, 2015.
<http://www.channelnewsasia.com/news/asiapacific/philippines-faces-hurdles-to-shut-down-sex-trafficking-8225132>.
- 31 U.S. Embassy- Manila. Reporting. February 16, 2018.
- 32 U.S. Department of State. Trafficking in Persons Report- 2018: Philippines. Washington, DC, 2018.
<https://www.state.gov/reports/2018-trafficking-in-persons-report/philippines/>.
- 33 U.S. Embassy- Manila. TIP Reporting. March 6, 2019.
- 34 U.S. Embassy- Manila. Reporting. February 1, 2017.
- 35 Philippine Drug Enforcement Agency. PDEA Expresses Concern Over Rising Incidence of Minors Involved in Illegal Drug Activities; Supports Senate Resolution No. 19. August 21, 2016. Source on file.
- 36 U.S. Embassy- Manila official. Email communication to USDOL official. June 29, 2018.
- 37 CNN Philippines Staff. PDEA: Cases of minors used in drug-related activities rose from 2006 to 2016. CNN Philippines, September 6, 2016.
<http://cnnphilippines.com/news/2016/09/06/pdea-minors-drug-related-cases.html>.
- 38 Reuters. Death of a Schoolboy. August 25, 2017.
<http://fingfx.thomsonreuters.com/gfx/rngs/PHILIPPINES-DRUGS/010050JX18M/index.html>.
- 39 Amnesty International. If You are Poor, You are Killed - Extrajudicial Executions in the Philippines' "War on Drugs". 2017. Source on file.
- 40 Enano, Jhesset O. Group finds 74 minors in drug war body count. April 6, 2018.
<http://newsinfo.inquirer.net/980513/group-finds-74-minors-in-drug-war-body-count>.
- 41 Brookings Institution. The human rights consequences of the war on drugs in the Philippines. August 8, 2017.
<https://www.brookings.edu/testimonies/the-human-rights-consequences-of-the-war-on-drugs-in-the-philippines/>.
- 42 Philippines NGO. Interview with USDOL Official. June 26, 2018. Source on file.
- 43 Local NGO official. Interview with USDOL official. May 9, 2019.
- 44 Cullen, Fr. Shay, SSC. What Philippine officials found in child detention centers. The Manila Times January 16, 2016.
<http://www.manilatimes.net/what-philippine-officials-found-in-child-detention-centers/239813/>.
- 45 Cullen, Fr. Shay, SSC. Children abused in detention. The Manila Times June 24, 2018.
<http://www.manilatimes.net/children-abused-in-detention/411729/>.
- 46 United Nations Committee Against Torture. Concluding observations on the third periodic report of the Philippines. June 2, 2016.
https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT/C/PHL/CO/3&Lang=en.
- 47 Amnesty International. Philippines: ICC must examine 'war on drugs' crimes as child killings go unpunished. December 4, 2017.
<https://www.amnesty.org/en/latest/news/2017/12/philippines-icc-must-examine-war-on-drugs-crimes>.
- 48 Duerr, Roxana Isabel. Philippines struggling to tackle child prostitution. Deutsche Welle, October 3, 2015.
<http://www.dw.com/en/philippines-struggling-to-tackle-child-prostitution/a-18305386>.
- 49 Holmes, Oliver. How child sexual abuse became a family business in the Philippines. The Guardian, May 30, 2016.
<https://www.theguardian.com/world/2016/may/31/live-streaming-child-sex-abuse-family-business-philippines>.
- 50 Walk Free Foundation. The Global Slavery Index Philippines. 2016.
<http://www.globalslaveryindex.org/country/philippines/>.
- 51 Jalea, Mary Gleefer F. Social media tool for child trafficking. The Manila Times, October 21, 2017.
<http://www.manilatimes.net/social-media-tool-child-trafficking/357750/>.
- 52 Murdoch, Lindsay. Children as young as two rescued from Philippine cybersex abuse dens. The Sydney Morning Herald, June 3, 2017.
<https://www.smh.com.au/world/children-as-young-as-two-rescued-from-philippine-cybersex-abuse-dens-20170603-gwjmg5.html>.
- 53 U.S. Department of State. Country Reports on Human Rights Practices- 2017: Philippines. Washington, DC, 2017.
<https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/philippines/>.
- 54 U.S. Embassy- Manila official. Email correspondence to USDOL official. July 10, 2019.
- 55 International Justice Mission. Online Sexual Exploitation of Children in the Philippines - A Review of the Criminal Justice System's Response. Washington, DC, December 2018. Source on file.
- 56 GMA News. De Lima wants Senate probe on alleged proliferation of child cybersex abuses. November 20, 2018.
<https://www.gmanetwork.com/news/news/nation/675417/de-lima-wants-senate-probe-on-alleged-proliferation-of-child-cybersex-abuses/story/>.
- 57 UN Reporting. New York, 2018. Source on file.
- 58 Government of the Philippines Out-of-school Children and Youth in the Philippines - Results from the 2013 Functional Literacy, Education and Mass Media Survey. Philippines Statistics Authority, April 20, 2015. Source on file.
- 59 National Commission on Muslim Filipinos. Interview with USDOL official. May 6, 2019.
- 60 Government of the Philippines. An Act Instituting Policies for the Protection and Welfare of Domestic Workers, No. 10361. Enacted: January 18, 2013. Source on file.

- 61 Government of the Philippines. The Labor Code of the Philippines, Presidential Decree No. 442. Enacted: May 1, 1974. [http://hrlibrary.umn.edu/research/Philippines/PD 442 - Labor Code of the Philippines.pdf](http://hrlibrary.umn.edu/research/Philippines/PD_442_-_Labor_Code_of_the_Philippines.pdf).
- 62 Government of the Philippines. Republic Act No. 7610 - Special Protection of Children Against Child Abuse, Exploitation, and Discrimination Act. Enacted: June 17, 1992. Source on file.
- 63 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, Amending For This Purpose Republic Act No. 7610, No. 9231. Enacted: December 19, 2003. http://www.lawphil.net/statutes/repacts/ra2003/ra_9231_2003.html.
- 64 Government of the Philippines. Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons Below 18 Years of Age. Act No. 149-A. January 16, 2017. [https://www.dole.gov.ph/files/DO 149 A-17 Amending Department Order No_ 149 - 16 on Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons below 18 years of age. pdf](https://www.dole.gov.ph/files/DO_149_A-17_Amending_Department_Order_No_149_-_16_on_Guidelines_in_Assessing_and_Determining_Hazardous_Work_in_the_Employment_of_Persons_below_18_years_of_age.pdf).
- 65 Government of the Philippines. Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons Below 18 Years of Age, Department Order No. 149. Enacted: February 15, 2016. [http://www.dole.gov.ph/files/Dept Order No_ 149-2016\(1\).pdf](http://www.dole.gov.ph/files/Dept_Order_No_149-2016(1).pdf).
- 66 Government of the Philippines. Expanded Anti-Trafficking in Persons Act of 2012. No. 10364. Enacted: February 6, 2013. https://www.lawphil.net/statutes/repacts/ra2013/ra_10364_2013.html.
- 67 Government of the Philippines. Anti-Child Pornography Act of 2009. No. 9775. Enacted: November 17, 2009. http://www.lawphil.net/statutes/repacts/ra2009/ra_9775_2009.html.
- 68 Government of the Philippines. An Act Defining Cybercrime, Providing for the Prevention, Investigation, Suppression and the Imposition of Penalties Therefore and for Other Purposes, Republic Act No. 10175. Enacted: 2011. https://www.lawphil.net/statutes/repacts/ra2012/ra_10175_2012.html.
- 69 Government of the Philippines. Comprehensive Dangerous Drugs Act of 2002, No. 9165. Enacted: June 7, 2002. http://www.lawphil.net/statutes/repacts/ra2002/ra_9165_2002.html.
- 70 Government of the Philippines. Providing for the Development, Administration, Organization, Training and Maintenance and Utilization of the Citizen Armed Forces of the Philippines, and for Other Purposes Act, No. 7077 Enacted: June 27, 1991. http://www.lawphil.net/statutes/repacts/ra1991/ra_7077_1991.html.
- 71 Government of the Philippines. Enhanced Basic Education Act of 2013, No. 10533. Enacted: May 15, 2012. https://www.lawphil.net/statutes/repacts/ra2013/ra_10533_2013.html.
- 72 Government of the Philippines. The 1987 Constitution of the Republic of the Philippines. Enacted: February 11, 1987. <https://www.lawphil.net/consti/cons1987.html>.
- 73 Department of Labor and Employment official. Interview with USDOL official. May 9, 2019.
- 74 Department of Labor and Employment official. Interview with USDOL official. May 10, 2019.
- 75 Remitio, Rex. Gov't blocks major porn websites. CNN Philippines, January 20, 2017. <http://cnnphilippines.com/news/2017/01/16/government-blocks-major-porn-websites.html>.
- 76 Government of the Philippines. Free Internet Access in Public Places Act. Republic Act No 10929. August 2, 2017. https://www.senate.gov.ph/republic_acts/ra_10929.pdf.
- 77 Government of the Philippines. Rules and Regulations Implementing Republic Act No. 10929, known as the Free Internet Access in Public Places Act. Accessed: July 23, 2018. <http://www.dict.gov.ph/wp-content/uploads/2017/12/IRR-RA-10929-Version-8.pdf>.
- 78 Department of Information and Communications Technology official. Interview with USDOL official. May 7, 2019.
- 79 ILO. Email communication to USDOL official. April 13, 2018.
- 80 U.S. Embassy- Manila. Reporting. January 15, 2015.
- 81 Department of Labor and Employment. Bureau of Workers with Special Concerns. Accessed: May 29, 2019. <https://bwsc.dole.gov.ph/>.
- 82 Philippine National Police official. Interview with USDOL official. July 17, 2017.
- 83 Government of the Philippines- Department of Labor and Employment. Sagip Batang Manggagawa. Sagip Batang Manggagawa. Accessed: 2014. <http://www.bwsc.dole.gov.ph/images/InfoMaterials/SBM.pdf>.
- 84 U.S. Embassy- Manila. Reporting. February 18, 2015.
- 85 U.S. Embassy- Manila official. Email communication to USDOL official. March 13, 2014.
- 86 Department of Justice official. Interview with USDOL official. May 6, 2019.
- 87 Philippines National Police official. Interview with USDOL official. May 6, 2019.
- 88 British Embassy - Manila. Launch of the Philippines Internet Crimes Against Children Center. February 27, 2019. <https://www.gov.uk/government/news/launch-of-the-philippine-internet-crimes-against-children-center>.
- 89 U.S. Embassy- Manila official. Email communication to USDOL official. June 5, 2018.
- 90 CIA. The World Factbook. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 91 ILO. Strategies and Practice for Labour Inspection. November 2006. <http://www.ilo.org/public/english/standards/relem/gb/docs/gb297/pdf/esp-3.pdf>.
- 92 Government of the Philippines. DOLE. Transition of informal sector workers to formal economy gets boost. May 6, 2017. <https://www.dole.gov.ph/news/view/3667>.
- 93 Kine, Phelim. Philippine President Rodrigo Duterte's 'War on Drugs', Human Rights Watch. September 7, 2017. <https://www.hrw.org/news/2017/09/07/philippine-president-rodrigo-dutertes-war-drugs>.
- 94 Al Jazeera. Rodrigo Duterte interview: Death, drugs and diplomacy. October 16, 2016. <https://www.aljazeera.com/programmes/talktojazeera/2016/10/exclusive-rodrigo-duterte-war-drugs-161015100325799.html>.
- 95 Government of the Philippines. Philippine National Police. ICAC Training. June 21, 2017. <http://www.pnp.gov.ph/news-and-information/news/1009-icac-training>.
- 96 Kaiman, Jonathan. In the Philippines, poverty and corruption fuel the drug trade. Los Angeles Times, February 28, 2017. <http://www.latimes.com/world/asia/la-fg-philippines-corruption-2017-story.html>.
- 97 Lingao, Amanda. SPECIAL REPORT: At least 29 minors killed in gov't war on drugs, group says. CNN Philippines, August 25, 2017. <http://cnnphilippines.com/news/2017/08/21/Minors-killed-in-war-on-drugs.html>.
- 98 Baldwin, Clare and Andrew R.C. Marshall. Duterte targets Philippine children in bid to widen drug war. Reuters. February 14, 2017. <https://www.reuters.com/article/us-philippines-drugs-children-insight/duterte-targets-philippine-children-in-bid-to-widen-drug-war-idUSKBN15T1NB>.
- 99 Iyengar, Rishi. The Killing Time: Inside Philippine President Rodrigo Duterte's War on Drugs. Time, August 25, 2016. <http://time.com/4462352/rodrigo-duterte-drug-war-drugs-philippines-killing/>.
- 100 Reuters. Philippines orders arrest of three policemen in drug war's first murder case. February 7, 2018. <https://www.reuters.com/article/us-philippines-drugs/philippines-orders-arrest-of-three-policemen-in-drug-wars-first-murder-case-idUSKBN1FR0U6>.

Philippines

MODERATE ADVANCEMENT

- 101 Human Rights Watch. Philippines: Abusive 'Drug War' Targets Children. September 9, 2017. <https://www.hrw.org/news/2017/09/09/philippines-abusive-drug-war-targets-children>.
- 102 McKirdy, Euan. Philippines drugs war: 3 Manila cops found guilty in first police convictions. CNN. November 29, 2018. <https://www.cnn.com/2018/11/29/asia/philippines-kian-delos-santos-first-drug-war-convictions-intl/index.html>
- 103 Government of the Philippines. Government Efforts to Combat the Worst Forms of Child Labor: Presentation to U.S. Department of Labor. July 18, 2017. Source on file.
- 104 GOP. National Child Labor Committee. Case Flow Management Protocol on Child Labor. 2015. Source on file.
- 105 U.S. Embassy- Manila official. Email communication to USDOL official. February 22, 2016.
- 106 Department of Social Welfare and Development official. Interview with USDOL official. May 7, 2019.
- 107 Government of Philippines, Department of Labor and Employment. Addressing the Urgent Need to Eliminate the Worst Forms of Child Labor Through the Strengthening of the National Committee Against Child Labor, Reorganizing Its Composition, Redefining Its Functions, and Allocating Funds Therefor. 2017. Source on file.
- 108 Government of the Philippines. Philippine Program Against Child Labor Strategic Framework, 2017–2022. 2017. Source on file.
- 109 Government of the Philippines. Philippine Program Against Child Labor, Development Action Plan, 2017–2022. 2017. Source on file.
- 110 ILO-IPEC. Global Action Program on Child Labor Issues. October 2016: Technical Progress Report. Source on file.
- 111 Government of the Philippines. IACAT Plans and Programs in Combating Labor Trafficking and Online Sexual Exploitation of Children: Presentation to U.S. Department of Labor. July 17, 2017. Source on file.
- 112 Government of the Philippines- Inter-Agency Council Against Child Pornography. Inter-Agency Council Against Child Pornography Three-Year Strategic Plan (2015–2017). 2015. Source on file.
- 113 UNICEF. Child 21. A Legacy to the Filipino Children of the 21st Century, Philippines National Strategic Framework for Plan Development for Children, 2000–2025, 2000. Source on file.
- 114 U.S. Department of State. Diplomacy in Action - Child Protection Compact Partnerships. Washington, DC. Accessed: January 15, 2019. <https://www.state.gov/j/tp/cpc/270110.htm>.
- 115 Government of the Philippines. Justice Secretary Aguirre signs Child Protection Compact (CPC) partnership with US Embassy official. April 11, 2017. Source on file.
- 116 U.S. Department of State. Child Protection Compact Partnership Between the Government of the United States of America and the Government of the Republic of the Philippines. April 11, 2017. <https://www.state.gov/j/tp/cpc/270110.htm>.
- 117 Government of the Philippines. Philippines Plan of Action to End Violence Against Children (PPAEVAC), 2017. Source on file.
- 118 Government of the Philippines. 3rd National Plan of Action for Children (2017–2022), Executive Summary, 2017. Source on file.
- 119 Government of the Philippines. DOLE. Guidance to Host Establishments in Ensuring Safe Workplaces for Senior High School Students under Work Immersion Program. July 14, 2017. https://www.dole.gov.ph/files/Labor_Advisory_No_09-17_Guidance_to_Host_Establishments_in_Ensuring_Safe_Workplaces_for_Senior_High_School_Students_under_Work_Immersion_Program.pdf.
- 120 Government of the Philippines. Implementing Rules and Regulations of Republic Act No. 10917 Amending for the Purpose Republic Act 9547 and 7323, Otherwise Known as the Special Program for the Employment of Students (SPES). March 20, 2017. Source on file.
- 121 Government of the Philippines, Department of Social Welfare and Development. The Pantawid Pamilyang Pilipino Program (4Ps). Accessed: July 27, 2018. <https://pantawid.dswd.gov.ph/about/>.
- 122 Business World Online. DSWD to Expand Anti-Poverty Programs. January 6, 2014. <http://www.bworldonline.com/content.php?section=Nation&title=DSWD-to-expand-anti-poverty-programs&id=81524>.
- 123 Peralta, Janine. DOLE seeks to profile child laborers nationwide. CNN, April 9, 2018. Source on file.
- 124 ILO. Philippines bolsters fight against child labour. Accessed: May 31, 2017. http://www.ilo.org/manila/public/pr/WCMS_541499/lang--en/index.htm.
- 125 Government of the Philippines. Guidelines on the Certification of Child Labor-Free Barangay, Administrative Order No. 657. Enacted: December 15, 2014. <http://bwsc.dole.gov.ph/images/ppacl/CLFB/CLFB-AO-657-14-Guidelines-on-the-certification-of-child-labor-free-barangay.pdf>.
- 126 U.S. Embassy- Manila. Reporting. February 29, 2016.
- 127 Philippine Department of Education official. Interview with USDOL official. July 18, 2017.
- 128 Calunsod, Ronron. Campaigners enlist kids in bid to end child labor. Kyodo News, June 7, 2018. Source on file.
- 129 World Vision Development Foundation. ABK3 LEAP: Livelihoods, Education, Advocacy and Protection to Reduce Child Labor in Sugarcane. Technical Progress Report. October 2015. Source on file.
- 130 ILO-IPEC. Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor Project. Technical Progress Report. October 2015. Source on file.
- 131 ILO-IPEC. Convening Stakeholders to Develop and Implement Strategies to Reduce Child Labor and Improve Working Conditions in Artisanal and Small-Scale Gold Mining (COSTREC-ASGM). Project Summary. December 2015. <http://www.dol.gov/ilab/projects/summaries/ILAB-FY15-GoldMiningProject.pdf>.
- 132 GOP. Department of Labor and Employment- Bureau of Workers with Special Concerns. Social Amelioration Program in the Sugar Industry. March 2, 2014. <http://www.bwsc.dole.gov.ph/programs-and-projects-submenu/1/30-programs-projects/social-amelioration-program-in-the-sugar-industry.html>.
- 133 Government of the Philippines. Strengthening the Social Amelioration Program in the Sugar Industry, Providing the Mechanics for its Implementation, and for Other Purposes Act, No. 6982. Enacted: May 1, 1991. <http://www.chanrobles.com/republicactno6982.htm>.

In 2018, Rwanda made a significant advancement in efforts to eliminate the worst forms of child labor. The government adopted several new laws to strengthen protections for children, including a revised Labor Law, a comprehensive anti-trafficking law, a law imposing heightened penalties for the use of children in armed conflict or illicit activities, and the Law on Child Protection that supplements the existing 2012 law. The government also established the Rwanda Investigation Bureau, which conducts investigations into criminal matters, including child labor, and actively partnered with the United States Agency for International Development and the International Organization for Migration to conduct a research study on human trafficking trends in Rwanda. In addition, the government obtained one conviction in a child trafficking case and launched a 5-year advocacy campaign against child labor. However, children in Rwanda engage in the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. The number of labor inspectors does not meet the ILO's technical advice for the size of the workforce. In addition, resource constraints limited some government efforts to combat child labor, and social programs did not address all relevant sectors where child labor was present.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Rwanda engage in the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1-3) In 2018, the government released the results of the Fifth Integrated Household Living Conditions Survey conducted in 2016/2017, which revealed a decrease of 3 percentage points in the percentage of working children since the 2013/2014 survey. (4) Table 1 provides key indicators on children's work and education in Rwanda. 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

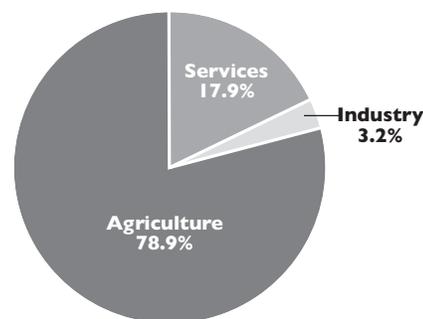
Children	Age	Percent
Working (% and population)	6 to 14	5.4 (156,522)
Attending School (%)	6 to 14	89.4
Combining Work and School (%)	7 to 14	4.9
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization's analysis of statistics from Integrated Household Living Conditions Survey (EICV-5), 2016-2017. (6)

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

Figure 1. Working Children by Sector, Ages 10-14



SIGNIFICANT ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Agriculture	Production of bananas, beans, coffee, maize, potatoes, sorghum, sugarcane, and sweet potatoes, including carrying heavy loads† and wielding machetes (1,2)
	Forestry activities (1)
	Production of tea, including applying fertilizers,† carrying heavy loads,† planting, plucking tea leaves, and weeding (7)
	Fishing† (1)
Industry	Construction,† including laying bricks (1,3,8)
	Mining† tantalum ore (coltan) and quarrying (1,3,9)
Services	Domestic work† (1,2,8,10-12)
	Repair and cleaning of motorcycles and motor vehicles (1,13)
	Street work, including collecting scrap metal,† carrying heavy loads as porters,† and small-scale vending (1,13-16)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (12,13,17)
	Forced labor in agricultural and domestic work, each sometimes as a result of human trafficking (8,10,17)

† 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.

Data collected in a 2016/2017 national household survey showed that approximately 3.6 percent of all children in Rwanda are engaged in child labor, primarily in the agriculture and service sectors. (4) Although Rwanda is not a destination for child trafficking, it is a source and transit country for children, primarily those heading to Uganda, the Democratic Republic of the Congo, and elsewhere in East Africa for commercial sexual exploitation and forced labor in domestic work, and in the agricultural and industrial sectors. (12,17)

Although the Ministry of Education established a policy that provides free basic education for 12 years, of which the first 9 are compulsory, in practice, the costs of uniforms, school supplies, and unofficial school fees may preclude some families from sending their children to school. (18-20) On January 9, 2019, the Ministry of Education issued a statement expressing concern that schools were levying high school fees on families and prohibited schools from increasing fees during the first term of the 2019/2020 school year. (3) In 2016, the government authorized sanctions against parents who do not send their children to school or individuals whose employment of children prevents them from going to school, but there were no reports of such sanctions being applied. (20-22) During the 2017/2018 school year, there was a slight decrease in the number of children transitioning from primary to secondary school over the previous year—from 74.5 percent to 71.6 percent. (23)

II. Legal Framework for Child Labor

Rwanda 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’s laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 5 of the Labor Law; Article 9 of the Ministerial Instruction Relating to Prevention and Fight Against Child Labor (24,25)
Minimum Age for Hazardous Work	Yes	18	Article 6 of the Labor Law (24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 6 of the Labor Law; Articles 4–6 of Ministerial Order Determining the List of Worst Forms of Child Labor; Kigali City Guidelines 2012–02; Articles 7–9 of the Ministerial Instruction Relating to the Prevention and Fight against Child Labor (24-27)
Prohibition of Forced Labor	Yes		Articles 3, 20, and 7 of the Labor Law; Article 178 of the Penal Code; Article 51 of the Law Relating to the Rights and Protection of the Child; Article 9 of the Ministerial Instruction Relating to Prevention and Fight against Child Labor (24,25,28,29)
Prohibition of Child Trafficking	Yes		Articles 18–20 and 22–24 of the Law on Prevention, Suppression, and Punishment of Trafficking in Persons; Article 28 of the Law on Prevention and Punishment of Gender-Based Violence; Articles 225, 251, and 259–261 of the Penal Code; Article 51 of the Law Relating to the Rights and Protection of the Child; Article 31 of the Law Relating to the Protection of the Child; Article 9 of the Ministerial Instruction Relating to Prevention and Fight against Child Labor (25,28-32)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 24 of the Law on Prevention, Suppression, and Punishment of Trafficking in Persons; Articles 190, 211, and 260 of the Penal Code; Article 51 of the Law Relating to the Rights and Protection of the Child; Articles 34 and 35 of the Law Relating to the Protection of the Child; Article 9 of the Ministerial Instruction Relating to Prevention and Fight against Child Labor (25,28,29,31,32)
Prohibition of Using Children in Illicit Activities	Yes		Article 23 of the Law on Prevention, Suppression, and Punishment of Trafficking in Persons; Article 220 of the Penal Code; Article 51 of the Law Relating to the Rights and Protection of the Child; Article 9 of the Ministerial Instruction Relating to Prevention and Fight against Child Labor; Article 263 of the Law Determining Offenses and Penalties in General (25,28,29,31,33)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 5 of Presidential Order 72/01 Establishing Army General Statutes; Article 7 of Presidential Order 32/01 Establishing Rwanda Defense Forces Special Statute; Article 50 of the Law Relating to the Rights and Protection of the Child (28,34,35)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 5 of Presidential Order 72/01 Establishing Army General Statutes; Articles 99(8) and 100(2) of the Law Determining Offenses and Penalties in General (33, 34)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 221 of the Penal Code (29)
Compulsory Education Age	Yes	16	Article 47 of the Law Relating to the Rights and Protection of the Child; Articles 34, 36, and 38 of the Law Governing the Organization and Functioning of Nursery, Primary and Secondary Education (28,36)
Free Public Education	Yes		Article 47 of the Law Relating to the Rights and Protection of the Child (28)

* No conscription (28,34,35)

In 2018, the government adopted a number of new laws. A revised Labor Law grants labor inspectors broader authority and raised the minimum period of imprisonment from 6 months to 2 years for subjecting children to prohibited forms of work; new legislation preventing trafficking in persons more closely aligns Rwanda's legal framework with the Palermo Protocol; a new law determining offenses and penalties includes heightened penalties for the use of children in armed conflict and illicit activities; and a Child Protection Law supplements the 2012 Law on the Rights and Protection of the Child. (24,31-33)

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 Public Service and Labor that may hinder adequate enforcement of their child labor laws.

Rwanda

SIGNIFICANT ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service and Labor (MIFOTRA)	Enforces labor laws, including laws on child labor. (20) In partnership with the Ministry of Education, reintegrates children withdrawn from child labor with their families and enrolls them in school. Mobilizes other ministries and agencies providing social services (including the Ministry of Gender and Family, the National Commission for Children, the Ministry of Justice, and the Ministry of Local Government) to take an active role in child labor law enforcement. (3)
Rwandan National Police (RNP)	Enforces criminal laws related to the worst forms of child labor and operates a free hotline to report incidents of gender-based violence or child abuse, including child labor. Through its Child Protection Unit and Anti-Trafficking Unit, enforces laws related to the worst forms of child labor. (3,17,20) It is unknown how many calls to the hotline were related to child labor.
Rwanda Investigation Bureau*	Conducts investigations into criminal matters, including child labor, and operates a free hotline to report incidents of gender-based violence and child abuse, including child labor. In the case of the Directorate for Anti-Gender-Based Violence, assists victims of the worst forms of child labor through anti-gender-based violence officers at each of the country's 78 police stations. (3)
National Public Prosecution Authority (NPPA)	Prosecutes violations of labor laws, including laws on child labor. (3) Through its anti-Gender Based Violence unit, 12 prosecutors work with an additional 60 prosecutors trained in handling relevant cases at the district level. (37)
Directorate General of Immigration and Emigration	Receives referrals for human trafficking cases and employs an anti-trafficking specialist. Trains border and immigration officials to identify potential human trafficking victims and verify that children transported across the border are traveling with the permission of their parents or guardians. (3)

*Agency responsible for child labor enforcement was created during the reporting period.

In April 2018, the Rwanda Investigation Bureau assumed some functions of the Rwandan National Police (RNP), including the investigation of the worst forms of child labor. (3)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Rwanda took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Public Service and Labor that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$183,000 (13)	\$155,287 (3)
Number of Labor Inspectors	35 (13)	35 (3)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (3)
Initial Training for New Labor Inspectors	Yes (13)	Yes (3)
Training on New Laws Related to Child Labor	Yes (13)	Yes (3)
Refresher Courses Provided	Yes (13)	Yes (3)
Number of Labor Inspections Conducted	1,269 (13)	912 (3)
Number Conducted at Worksite	1,269 (13)	912 (3)
Number of Child Labor Violations Found	234 (13)	51 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	234 (13)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	234 (13)	Unknown (3)
Routine Inspections Conducted	Yes (13)	Yes (3)
Routine Inspections Targeted	Yes (13)	Yes (3)
Unannounced Inspections Permitted	Yes (13)	Yes (3)
Unannounced Inspections Conducted	Yes (13)	Yes (3)
Complaint Mechanism Exists	Yes (13)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (3)

In addition to district-level funding, the Ministry of Public Service and Labor also provided a supplementary budget to support specific investigations and the Ministry of Gender and Family Promotion had a budget of \$1.4 million for activities related to child protection. Although the National Public Prosecution Authority brought

1,866 cases of child defilement to court in 2018, it did not track how many of the 1,168 convictions were related to child labor. (3)

The number of labor inspectors is likely insufficient for the size of Rwanda's workforce, which includes more than 6 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developing economies, Rwanda would employ about 156 labor inspectors. (38,39) Reports indicate that officials at the local level had difficulty identifying characteristics of child trafficking and child labor. (37)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Rwanda took actions to combat child labor (Table 7). However, gaps exist within the operations of the RNP that may hinder adequate criminal law enforcement, including investigation planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (13)	Yes (37)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (13)	Yes (37)
Refresher Courses Provided	Yes (13)	Yes (37)
Number of Investigations	Unknown (13)	Unknown (37)
Number of Violations Found	Unknown (13)	7 (3)
Number of Prosecutions Initiated	4 (13)	2 (3)
Number of Convictions	0 (13)	1 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	No (13)	Yes (22)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (3)

The National Public Prosecution Authority reported receiving 86 cases of human trafficking, of which 53 were brought to court. Although it is not known how many of these cases related to children, courts convicted one person of transnational child trafficking for the purpose of commercial sexual exploitation. The perpetrator was sentenced to 3 years in prison, which was upheld upon appeal. (22,37) Reports cited by the UN Committee against Torture indicate that the RNP systematically detained children working on the street, and that some children were held with adults and beaten while in custody. (20,40)

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 efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
Inter-Ministerial Steering Committee on Child Labor	Coordinates government efforts related to the worst forms of child labor; review child labor laws, advocates the inclusion of child labor policies in national development plans, oversees the implementation of child labor interventions, and conducts field visits to assess the prevalence of child labor and to raise awareness of child labor. (3) MIFOTRA coordinates and provides monitoring and evaluation, including the publication of annual updates on program and policy implementation related to child labor. (22)
Interagency Working Group on Human Trafficking	Enables national-level discussion and coordination of efforts to address human trafficking, including child labor. Includes representatives of the Ministry of Gender and Family Promotion (MIGEPROF), the Ministry of Justice, the RNP and the NPPA. (3)
MIGEPROF's National Commission for Children	Monitors, promotes, and advocates children's rights; develops action plans to protect children from abuse and exploitation. Overseen by MIGEPROF and supported by a board of directors and an advisory council of 14 institutions. (3)

SIGNIFICANT ADVANCEMENT

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

Coordinating Body	Role & Description
Local Committees	Monitor incidents of child labor nationwide and implement policies developed by the Inter-Ministerial Steering Committee on Child Labor in 30 districts by coordinating with district-level officials in enforcing labor laws and providing social services to child labor victims. (3) In the case of Gender-Based Violence Committees, operate at the district level to raise awareness about gender-based violence and coordinate social services to assist gender-based violence victims. In the case of Child Protection Committees, identify and report cases of child rights violations at the district, sector, and cell levels. (3,12)
Kigali City Council Task Force	Coordinates activities to combat child labor in the districts of Gasabo, Kicukiro, and Nyarugenge. The Task Force met twice during the year, once to discuss strategies to combat child labor and a second time to implement child labor elimination committees at the village level. (3)

All committees were active during the reporting period, but reports indicate that poor coordination and resource constraints hindered efforts to combat human trafficking and that efforts focused on transnational rather than domestic human trafficking. (3,17,37)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, gaps exist that hinder efforts to address child labor, including mainstreaming child labor issue into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy for the Elimination of Child Labor (2013) and 5-Year Action Plan to Combat Child Labor	Aims to prevent at-risk children from entering exploitative child labor; withdraws children engaged in exploitative labor through the provision of education; rehabilitate former child laborers through counseling, life skills training, and medical care; raises community awareness about child labor; and establish monitoring and evaluation mechanisms on child labor. The government committed more than \$4.2 million to implement the activities listed in the National Policy and the Action Plan. (41,42) In 2018, carried out awareness-raising activities in five districts and provided refresher training on child labor to national and local officials. (22)
It Takes Every Rwandan to End Child Exploitation†	5-year advocacy campaign against child labor and sexual abuse of children supported by MIGEPROF, the National Commission for Children, and World Vision Rwanda. (3)
7 Years Government Programme: National Strategy for Transformation (2017–2024)†	Aims to smooth the transition between Vision 2020 and Vision 2050 and improve standards of living for Rwandans, including access to quality education. (43)

† 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. (19,44-46)

In 2018, the government actively partnered with USAID and the IOM to conduct a research study on human trafficking trends in Rwanda. The results will be used to update the expired National Action Plan on Combating Human Trafficking. (22)

The government has not included child labor elimination and prevention strategies in Vision 2020, the National Social Protection Strategy, and the National Technical and Vocational Education and Training Policy. (47-49)

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 efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Programs to Combat Child Labor and Raise Awareness†	Includes MIGEPROF's campaign to teach parents and community leaders to recognize risk factors for human trafficking and to identify victims; and the Friends of the Family Program (<i>Incuti Z'Umuryango</i>), which trains volunteers to prevent and respond to child protection issues and establishes monitoring committees at various levels to combat child labor. (3) In 2018, the government held several awareness-raising campaigns regarding child labor. (3)
Victim Assistance Programs†	Musanze Child Rehabilitation Center in Northern Province assists children separated from armed groups. (20) Gitagata Center provides education, vocational training, and psychosocial support, and reunites former street children in the Bugesera District with their families. "One-stop" centers located in 44 hospitals and district capitals assist victims of gender-based violence and human trafficking. (3,17) Between January and October 2018, the Musanze Center assisted 19 children separated from armed groups and one-stop centers provided medical care, counseling, legal aid, short-term shelter, and access to police services. (3)
McGovern-Dole School Feeding Program	\$25 million WFP and U.S. Department of Agriculture pilot program that works with the Government of Rwanda to provide school meals to 415,000 children. This program was active in 2018. (48,49)
Strengthening Social Protection Project (2017–2021)*	\$80 million World Bank-funded project in support of the Vision 2020 Umurenge Program which aims to deliver cash transfers and improve social safety nets. (50) Formally launched in May 2018 and completed preparatory activities. (51)

* Program was launched during the reporting period.

† Program is funded by the Government of Rwanda.

Although Rwanda has programs that target child labor, the scope of these programs is insufficient to address the extent of the child labor problem in the agriculture sector and domestic work. Research also indicates there is an absence of long-term care facilities for victims of human trafficking, and some one-stop centers lacked sufficient resources. (17,37)

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 Rwanda (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Disaggregate the number of complaints received by the Rwandan National Police's hotline and the National Public Prosecution Authority's investigations that relate to child labor.	2013 – 2018
	Publish information about the number of penalties imposed and collected for child labor violations, and the number of criminal investigations conducted.	2015 – 2018
	Increase the number of inspectors to meet the ILO's technical advice.	2009 – 2018
	Ensure that labor inspectors and criminal investigators receive sufficient training to identify cases of child labor, including its worst forms.	2017 – 2018
	Cease the practice of systematically detaining and beating children who work on the street and ensure that children in detention are not subjected to beatings or poor detention conditions.	2018
Coordination	Ensure that coordinating bodies receive adequate resources and are able to combat both domestic and transnational human trafficking.	2018
Government Policies	Integrate child labor elimination and prevention strategies into Vision 2020, the National Social Protection Strategy, and the National Technical and Vocational Education and Training Policy.	2011 – 2018
Social Programs	Ensure that school costs, such as uniforms, school supplies, and unofficial school fees, do not diminish the impact of the 12-year free education policy.	2010 – 2018
	Expand existing social programs to address all relevant sectors of child labor, including agriculture and domestic work, and ensure adequate resources to implement all programs, including long-term care facilities.	2017 – 2018

SIGNIFICANT ADVANCEMENT

REFERENCES

- 1 National Institute of Statistics of Rwanda. Integrated Household Living Conditions Survey (EICV) 2013/2014 Thematic Report: Economic Activity. March 2016.
<http://www.statistics.gov.rw/publication/eicv-4-thematic-report-economic-activity>.
- 2 Mbonyinshuti, Jean d'Amour. Poverty, Ignorance Blamed for Child Labour. Kigali: The New Times, s.n., June 16, 2015.
<https://www.newtimes.co.rw/section/read/189786>.
- 3 U.S. Embassy- Kigali. Reporting. February 7, 2019.
- 4 National Institute of Statistics of Rwanda. The Fifth Integrated Household Living Conditions Survey EICV5 2016/17: Economic Activity. December 2018.
<http://www.statistics.gov.rw/publication/eicv5thematic-report-economic-activity-thematic-reportpdf>.
- 5 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
<http://data.uis.unesco.org/>.
- 6 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Integrated Household Living Conditions Survey (EICV-5), 2016-2017. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 7 Winrock International. Baseline Prevalence Study on Child Labor in Tea Growing Areas in Rwanda. Published in 2016. Source on file.
- 8 Kantengwa, Sharon. How is Rwanda faring in the fight against child labour? The New Times, June 16, 2017.
<http://www.newtimes.co.rw/section/read/214331/>.
- 9 Okello, James. Police Warns Over Child Labour. [newssofrwanda.com](http://www.newsofrwanda.com), April 10, 2016.
<http://www.newsofrwanda.com/featured/30908/police-warns-over-child-labour/>.
- 10 Nkurunziza, Michel. Is there hope for mistreated domestic workers? Rwanda Focus. July 2, 2016.
<http://allafrica.com/stories/201607040487.html>.
- 11 UN Committee on the Elimination of Discrimination against Women. Concluding observations on the combined seventh to ninth periodic reports of Rwanda. CEDAW/C/RWA/CO/7-9. March 9, 2017.
<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d/PPRiCAqhKb7yhsnlNnqKYBbHCTOaqVs8CBPI dFLVzI rZY3mXYhxfHuts9VhiUmGsvvmTU4tCLCnwN8nIOsTiqCIVYQj6xcf3HBfy+2mqxILa/0dNcwK2zsBxxVBDOHNAgwGEhD3SSHBJQg==>.
- 12 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Rwanda (ratification: 2000). 2018.
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3331386:NO.
- 13 U.S. Embassy- Kigali. Reporting. January 19, 2018.
- 14 Tumwebaze, Peterson. Child labour rampant among street children. June 26, 2013.
<https://www.newtimes.co.rw/section/read/67002>.
- 15 Agaba, Dennis. Kigali's Market Children Dream of Going Back to School [analysis]. Kigali: The New Times, s.n., May 17, 2015. Source on file.
- 16 Dushimimana, Marie Anne. How Can We Keep Our Children Off Streets? All Africa, November 9, 2017.
<http://allafrica.com/stories/201711090172.html>.
- 17 U.S. Department of State. Trafficking in Person Report- 2018: Rwanda. Washington, DC: s.n., June 2018.
<https://www.state.gov/reports/2018-trafficking-in-persons-report/rwanda/>.
- 18 National Institute of Statistics of Rwanda. Integrated Household Living Conditions Survey (EICV) 2013/2014 Thematic Report: Education. March 2016.
<http://www.statistics.gov.rw/publication/eicv-4-thematic-report-education>.
- 19 Government of Rwanda. Education Sector Strategic Plan 2013/14-2017/18. Kigali: Ministry of Education, October 2013.
http://www.mineduc.gov.rw/fileadmin/user_upload/Education_Sector_Strategic_Plan_2013_-_2018.pdf.
- 20 U.S. Department of State. Country Reports on Human Rights Practices-2018: Rwanda. Washington, DC, March 13, 2019.
<https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/rwanda/>.
- 21 Government of Rwanda. Ministerial Order No. 001/2016 Providing Sanctions Against Parents Who Do Not Send Their Children to School and Against Other Persons Who Employ Children in Work Preventing Them From Going to or Encouraging Them to Drop Out of School. Enacted: January 8, 2016
http://mineduc.gov.rw/fileadmin/user_upload/pdf_files/Laws-New-Uploads/Education_Orders/N_001_2016_ryo_ku_wa_08_01_2016.pdf.
- 22 U.S. Department of State official. Email communication to USDOL official. July 8, 2019.
- 23 Ministry of Education. 2018 Education Statistics. Kigali, December 2018.
http://mineduc.gov.rw/fileadmin/user_upload/pdf_files/2018_Rwanda_Education_Statistics.pdf.
- 24 Government of Rwanda. Law regulating Labour in Rwanda, N° 66/2018. Enacted: August 30, 2018.
https://www.mifotra.gov.rw/fileadmin/news_import/New_Labour_Law_2018.pdf.
- 25 Ministry of Public Service and Labour. Ministerial Instructions No. 01/2017 Relating to Prevention and Fight Against Child Labour. Enacted November 11, 2017. Source on file.
- 26 Government of Rwanda. Ministerial order determining the list of worst forms of child labour, their nature, categories of institutions that are not allowed to employ them and their prevention mechanisms, No. 06. Enacted: July 13, 2010, Source on file.
- 27 Government of Rwanda. Instructions of the Council of the City of Kigali City N°02 establishing mechanisms of prevention and fight against illegal child labour in Kigali City. Enacted: April 29, 2012. Source on file.
- 28 Government of Rwanda. Law N°54/2011 relating to the rights and the protection of the child. Enacted: June 25, 2012. Source on file.
- 29 Government of Rwanda. Organic Law N°01/2012 Instituting the Penal Code. Enacted: May 2, 2012.
https://www.unodc.org/res/cld/document/rwa/1999/penal-code-of-rwanda_html/Penal_Code_of_Rwanda.pdf.
- 30 Government of Rwanda. Law N°59 on prevention and punishment of gender-based violence. Enacted: September 10, 2008.
<http://www.refworld.org/docid/4a3f88812.html>.
- 31 Government of Rwanda. Law N° 51/2018 of 13/08/2018 Relating to the Prevention, Suppression and Punishment of Trafficking in Persons and Exploitation of Others. Enacted: August 13, 2018.
<https://rwandalii.africanlii.org/sites/default/files/gazette/OG+no+39+of+24+9+18+1.pdf>.
- 32 Government of Rwanda. Law N°71/2018 relating to the protection of the child. Enacted: August 31, 2018.
<https://rwandalii.africanlii.org/sites/default/files/gazette/OG+no+37+bis+of+10-09-2018.pdf>.
- 33 Government of Rwanda. Law N°68/2018 determining offences and penalties in general. Enacted: August 30, 2018.
<https://rwandalii.africanlii.org/sites/default/files/gazette/OG+no+Special+of+27-09-2018.pdf>.
- 34 Government of Rwanda. Presidential Order N°72/01 Establishing Army General Statutes. Source on file.

SIGNIFICANT ADVANCEMENT

- 35 Government of Rwanda. Presidential Order N°32/01 Establishing Rwanda Defence Forces Special Statute. Enacted: September 3, 2012. [http://www.rlrc.gov.rw/fileadmin/user_upload/Laws/Laws/RWA_LAWS_PUBLISHED_IN_2012/RWA_2012_PO_NO_32-01-2012_RWANDA_DEFENSE_FORCES_SPECIAL_STATUTE -- OG NO 36 OF 03 SEPT. 2012. pdf.](http://www.rlrc.gov.rw/fileadmin/user_upload/Laws/Laws/RWA_LAWS_PUBLISHED_IN_2012/RWA_2012_PO_NO_32-01-2012_RWANDA_DEFENSE_FORCES_SPECIAL_STATUTE_-_OG_NO_36_OF_03_SEPT.2012.pdf)
- 36 Government of Rwanda. Law N°23/2012 Governing the Organization and Functioning of Nursery, Primary and Secondary Education. Enacted June 15, 2012. [http://mineduc.gov.rw/fileadmin/user_upload/pdf_files/Laws-New-Uploads/Education_Laws/N_23_2012_ryo_kuwa_15_06_2012.pdf.](http://mineduc.gov.rw/fileadmin/user_upload/pdf_files/Laws-New-Uploads/Education_Laws/N_23_2012_ryo_kuwa_15_06_2012.pdf)
- 37 U.S. Embassy- Kigali. Reporting. March 1, 2019.
- 38 CIA. The World Factbook. Accessed March 4, 2019. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. [https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html.](https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html)
- 39 UN. World Economic Situation and Prospects 2018. Accessed August 7, 2018. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/WESP2018_Full_Web-1.pdf.](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/WESP2018_Full_Web-1.pdf)
- 40 UN Committee against Torture. Concluding observations on the second periodic report of Rwanda. December 21, 2017: CAT/C/RWA/CO/2. [https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT/C/RWA/CO/2&Lang=en.](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT/C/RWA/CO/2&Lang=en)
- 41 Government of Rwanda. National Child Labor Policy. March 2013. [http://www.mifotra.gov.rw/fileadmin/user_upload/Laws/National_Child_Labour_Policy.pdf.](http://www.mifotra.gov.rw/fileadmin/user_upload/Laws/National_Child_Labour_Policy.pdf)
- 42 Ministry of Public Service and Labor (MIFOTRA). National Policy on elimination of worst forms of Child Labour officially launched. June 11, 2013. Source on file.
- 43 The Republic of Rwanda. 7 Years Government Programme: National Strategy for Transformation (NST I) 2017 – 2024. Kigali, 2017. [http://www.minecofin.gov.rw/fileadmin/user_upload/NSTI_7YGP_Final.pdf.](http://www.minecofin.gov.rw/fileadmin/user_upload/NSTI_7YGP_Final.pdf)
- 44 Government of Rwanda. Strategic Plan for the Integrated Child Rights Policy in Rwanda. August 2011. [http://www.unicef.org/rwanda/RWA_resources_icrpstratplan.pdf.](http://www.unicef.org/rwanda/RWA_resources_icrpstratplan.pdf)
- 45 Government of Rwanda. National Policy against Gender-Based Violence. Kigali: Ministry of Gender and Family Promotion, July 2011. [http://www.migeprof.gov.rw/fileadmin/_migrated/content_uploads/GBV_Policy-2_1_.pdf.](http://www.migeprof.gov.rw/fileadmin/_migrated/content_uploads/GBV_Policy-2_1_.pdf)
- 46 Government of Rwanda. Economic Development and Poverty Reduction Strategy 2013–2018. Kigali, September 13, 2013. [http://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/rwanda_edprs_2013-2018.pdf.](http://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/rwanda_edprs_2013-2018.pdf)
- 47 Government of Rwanda. National Social Protection Strategy. January 2011. [http://www.ilo.org/gimi/gess/RessShowRessource.do?ressourceId=23208.](http://www.ilo.org/gimi/gess/RessShowRessource.do?ressourceId=23208)
- 48 US Department of Agriculture. McGovern-Dole Funding Allocations - FY 2015. 2015. <https://www.fas.usda.gov/programs/mcgovern-dole-food-education-program/mcgovern-dole-funding-allocations-fy-2015>
- 49 US Department of Agriculture. Active McGovern-Dole Projects [website]. Accessed March 1, 2019. [https://www.fas.usda.gov/programs/mcgovern-dole-food-education-program/active-mcgovern-dole-projects.](https://www.fas.usda.gov/programs/mcgovern-dole-food-education-program/active-mcgovern-dole-projects)
- 50 World Bank. Project Appraisal Document on a Proposed Credit in the Amount of US\$80 Million to the Republic of Rwanda for a Strengthening Social Protection Project. November 27, 2017. [http://documents.worldbank.org/curated/en/761071513825243134/pdf/RWANDA-PAD-11292017.pdf.](http://documents.worldbank.org/curated/en/761071513825243134/pdf/RWANDA-PAD-11292017.pdf)
- 51 World Bank. Strengthening Social Protection Project Implementation Status & Results Report. December 21, 2018. [http://documents.worldbank.org/curated/en/918381545403301581/pdf/Dislosable-Version-of-the-ISR-Strengthening-Social-Protection-Project-PI62646-Sequence-No-03.pdf.](http://documents.worldbank.org/curated/en/918381545403301581/pdf/Dislosable-Version-of-the-ISR-Strengthening-Social-Protection-Project-PI62646-Sequence-No-03.pdf)

Saint Helena, Ascension, and Tristan da Cunha

MODERATE ADVANCEMENT

Although research found no evidence that child labor exists in Saint Helena, Ascension, and Tristan da Cunha (formerly Saint Helena), the government made a moderate advancement in efforts to prevent the worst forms of child labor in 2018. The government passed a bill to restrict child labor and improved services for vulnerable children. However, the government has yet to define by law or regulation the types of work prohibited to children, other than work on vessels engaged in maritime navigation. Gaps also remain in legislation related to forced child labor and the trafficking of children for labor exploitation.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Saint Helena, Ascension, and Tristan da Cunha (STATC). (1-7) Data on key indicators on children's work and education are not available from the sources used in this report.

II. LEGAL FRAMEWORK FOR CHILD LABOR

British Overseas Territories (BOTs) recognize the jurisdiction and sovereignty of the United Kingdom (UK), but they are not constitutionally part of the UK. They are self-governing, except in the areas of foreign affairs and defense. (8) Saint Helena, Ascension, and Tristan da Cunha generally incorporate English Law Ordinances to the extent permitted by local circumstances and subject to modification by local laws. (2) Under Article 35(4) of the ILO Constitution, when the UK ratifies a Convention, the Territory must consider if it will accept the Convention. If the Convention is accepted, it is considered applicable to that territory. (2,8) The following Conventions have been extended to Saint Helena, Ascension, and Tristan da Cunha (Table 1).

Table 1. 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 of Saint Helena, Ascension, and Tristan da Cunha has established laws and regulations related to child labor (Table 2). However, gaps exist in Saint Helena, Ascension, and Tristan da Cunha's legal framework to adequately protect children from the worst forms of child labor, including prohibition of child trafficking and using children in illicit activities.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Section 157B of the Welfare of Children Ordinance (9)
Minimum Age for Hazardous Work	Yes	18	Sections 157B and 158 of the Welfare of Children Ordinance (9)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Sections 157A and 158 of the Welfare of Children Ordinance (9)
Prohibition of Forced Labor	No		Sections 8 (Saint Helena), 125 (Ascension), and 190 (Tristan da Cunha) of the Constitution Order (10)

Saint Helena, Ascension, and Tristan da Cunha

MODERATE ADVANCEMENT

Table 2. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Child Trafficking	No		Articles 57–60 of the Sexual Offences Act (11)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 47–51 of the Sexual Offences Act; Sections 145–147 of the Welfare of Children Ordinance (9,11)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Section 34 of the Education Ordinance (Saint Helena and Tristan da Cunha); Ascension Island Education Policy (Ascension) (12,13)
Free Public Education	Yes		Section 16 (Saint Helena), Section 132 (Ascension), and Section 198 (Tristan da Cunha) of the Constitution Order; Section 43 (Saint Helena) of the Education Ordinance; and Education Policy (Ascension) (10,12,13)

* No conscription (14)

† No standing military (14)

STATC have not determined by national law or regulation the types of work prohibited to children, other than work on vessels engaged in maritime navigation. (9) The laws prohibiting forced labor in STATC are not sufficient as debt bondage and slavery are prohibited constitutionally, but not criminally. (10) While the UK Sexual Offences Act, which is applicable to this territory, prohibits trafficking for sexual exploitation, there are no laws prohibiting the trafficking of children for labor exploitation. (15) The law also does not criminally prohibit the recruitment of children by non-state armed groups.

In 2018, the Government of STATC passed a bill which restricts child labor and extends child welfare protection. (5,16)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor, including its worst forms.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears no need for mechanisms to coordinate efforts to address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

During the reporting period, the Government of STATC improved social services for vulnerable children, specifically child protection. (17)

Saint Helena, Ascension, and Tristán da Cunha

MODERATE ADVANCEMENT

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor in Saint Helena, Ascension, and Tristán da Cunha (Table 3).

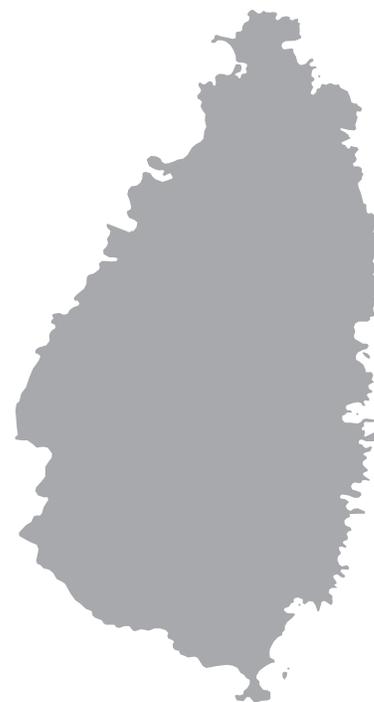
Table 3. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2013 – 2018
	Ensure that forced labor, debt bondage, and slavery are criminally prohibited.	2017 – 2018
	Establish laws to prohibit the use of children in illicit activities.	2015 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Establish laws to criminally prohibit trafficking of children for labor exploitation.	2014 – 2018

REFERENCES

- U.S. Embassy- London. Reporting. January 22, 2016.
- U.S. Embassy- London. Reporting. January 24, 2017.
- U.S. Embassy- London. Reporting. January 15, 2015.
- U.S. Embassy- London. Reporting. January 17, 2018.
- U.S. Embassy- London. Reporting. February 6, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary. Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- London. Email communication to USDOL official. May 8, 2014.
- Government of Saint Helena. Welfare of Children Ordinance. Enacted: March 1, 2010. <http://www.sainthelena.gov.sh/wp-content/uploads/2018/06/Welfare-of-Children-Ord-Updated-040618.pdf>.
- Government of the United Kingdom of Great Britain and Northern Ireland. The Saint Helena, Ascension and Tristán da Cunha Constitution Order 2009. Enacted: September 1, 2009. <http://www.legislation.gov.uk/ukxi/2009/1751/made/data.pdf>.
- Government of the United Kingdom of Great Britain and Northern Ireland. Sexual Offences Act 2003. Enacted: 2003. http://www.legislation.gov.uk/ukpga/2003/42/pdfs/ukpga_20030042_en.pdf.
- Government of Saint Helena. Education Ordinance. Enacted: August 30, 2008. <http://www.sainthelena.gov.sh/wp-content/uploads/2013/01/Education-Ordinance-310712.pdf>.
- Government of Ascension Island. Ascension Island Education Policy. Enacted: October 2010. <http://www.ascension-island.gov.ac/wp-content/uploads/2013/09/Ascension-Island-Education-Policy-Oct-2010.pdf>.
- CIA. The World Factbook: Saint Helena, Ascension, and Tristan da Cunha. Accessed August 6, 2018. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) St Helena (ratification: 2009) Published: 2014. Accessed October 25, 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3141651.
- Government of the United Kingdom of Great Britain and Northern Ireland. Email communication to USDOL official. January 18, 2019.
- Government of Saint Helena. Report on Services to Vulnerable Children and Adults on St. Helena. St. Helena Government. August 20, 2018. <http://www.sainthelena.gov.sh/report-on-services-to-vulnerable-children-and-adults-on-st-helena/?highlight=children>.

In 2018, Saint Lucia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government amended the Computer Misuse Act to criminalize the possession of child pornography. It also established a new agency to oversee adoption, child care, and protection of children and published the National Child Protection Action Plan Report. A rapid assessment conducted by the ILO in 2016 revealed limited evidence that children in Saint Lucia engage in the worst forms of child labor, including in commercial sexual exploitation and the sale and transportation of drugs. Saint Lucia's law does not fully protect children from hazardous work and illicit activities.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Saint Lucia engage in the worst forms of child labor, including in commercial sexual exploitation and the sale and distribution of drugs. (1-8) Table 1 provides key indicators on children's work and education in Saint Lucia. 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	7.5 (2,017)
Attending School (%)	5 to 14	99.7
Combining Work and School (%)	7 to 14	8.2
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019. (9)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014. (10)

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
Services	Street vending, including selling food and handicrafts in markets (1,3,11,12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,3,6-8,13,14) Sale and distribution of drugs (2-4,12)

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

Saint Lucia lacks detailed data on the extent of child labor in the country. A rapid assessment conducted by the ILO in 2016 revealed limited evidence that children engage in commercial sexual exploitation, sometimes in exchange for rides, clothing, or cell phones, or with the knowledge or encouragement of parents in situations of financial need. (2-4,7,15) Limited evidence also suggests that children are used to transport and sell drugs. (2-4) Local and foreign children are also subjected to sex trafficking, including by parents and caregivers. (3,5-8,16)

All children in Saint Lucia can attend school. However, violence in schools, some gang-related, may hinder some children from attending. (7) Children who do not attend school are vulnerable to engaging in child labor.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Saint Lucia has ratified most key international conventions concerning child labor (Table 3).

Saint Lucia

MODERATE ADVANCEMENT

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 Saint Lucia's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of commercial sexual exploitation of children and the use of children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 122 of the Labor Code (17,18)
Minimum Age for Hazardous Work	Yes	18	Article 122(2) of the Labor Code (17)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 126(b) and 214 of the Labor Code (17)
Prohibition of Forced Labor	No		Article 4 of the Constitution; Article 6 of the Labor Code (17,19)
Prohibition of Child Trafficking	Yes		Articles 3, 5, and 10(c) of Counter-Trafficking Act No. 7 (20)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 141 of the Criminal Code; Articles 2 and 5 of Counter-Trafficking Act No. 7 (20,21)
Prohibition of Using Children in Illicit Activities	No		Articles 141 and 560 of the Criminal Code (21)
Minimum Age for Voluntary State Military Recruitment	N/A*†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15	Article 27 of the Education Act (22)
Free Public Education	Yes		Article 16 of the Education Act (22)

* No conscription (23)

† No standing military (23)

In 2018, the Government of Saint Lucia amended the Computer Misuse Act to criminalize the possession of indecent films and photographs of children. (7,24) In addition, the government passed the Child Justice Act, which allows for children in conflict with the law to avoid the formal court system to protect the rights of the child. The Act also defines a child as a person under the age of eighteen years. (7,25) The Child Care Protection and Adoption Act, also passed in 2018, considers the overall safety, welfare, and well-being of the child and increased oversight over adoption procedures. (7,26)

Saint Lucia has not determined by national law or regulation the types of hazardous work prohibited for children. (3,17) In addition, although the Criminal Code prohibits the use of children in some illicit activities, such as street work, and using, procuring, or offering children for the production and trafficking of drugs is not criminally prohibited. (21,27) Laws related to forced labor are insufficient because forced labor is not criminally prohibited, except when it results from human trafficking. The law does not sufficiently prohibit commercial sexual exploitation because using or offering children for commercial sexual exploitation is not criminally prohibited. (20)

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 authority of the Ministry of Education, Human Resource Development, and Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Education, Human Resource Development, and Labor	Enforces laws on child labor through labor inspections conducted by its Department of Labor. (28,29)
Royal Saint Lucia Police Force	Enforces criminal laws related to the worst forms of child labor. Through its Vulnerable Persons Unit, in collaboration with the Division of Human Services, investigates cases of child labor, abuse, and neglect. (11) Uses a specific manual to investigate crimes related to children. (28)
Ministry of Home Affairs, National Security, and Justice	Coordinates and leads anti-human trafficking issues with various ministries. (3,6)
Human Services Department*	Leads on issues related to child care, protection, and adoption as mandated in the 2018 Child Care, Protection, and Adoption Act. (7,26) Located within the Ministry of Equity. (7)

*Agency responsible for child labor enforcement was created during the reporting period.

Labor Law Enforcement

In 2018, labor law enforcement agencies in Saint Lucia took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Education, Human Resource Development, and Labor that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$878,270 (3)	Unknown (7)
Number of Labor Inspectors	9 (3)	9 (7)
Inspectorate Authorized to Assess Penalties	No (3)	No (7)
Initial Training for New Labor Inspectors	No (30)	Unknown (7)
Training on New Laws Related to Child Labor	No (3)	Unknown (7)
Refresher Courses Provided	No (30)	Unknown (7)
Number of Labor Inspections Conducted	Unknown (30)	Unknown (7)
Number Conducted at Worksite	Unknown (30)	Unknown (7)
Number of Child Labor Violations Found	0 (3)	Unknown (7)
Number of Child Labor Violations for Which Penalties Were Imposed	0(3)	Unknown (7)
Number of Child Labor Penalties Imposed that Were Collected	0 (3)	Unknown (7)
Routine Inspections Conducted	Yes (3)	Yes (7)
Routine Inspections Targeted	No (3)	Unknown (7)
Unannounced Inspections Permitted	Yes (3)	Yes (7)
Unannounced Inspections Conducted	Yes (3)	Yes (14)
Complaint Mechanism Exists	Yes (3)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (7)

Although inspectors look for child labor and forced labor violations during announced and unannounced inspections, insufficient funding may hamper the labor inspectorate's capacity to enforce child labor laws in all relevant sectors, especially in communities in which children are vulnerable to commercial sexual exploitation. (7,30,31) Inspectors can make recommendations to the Labor Commissioner but cannot assess penalties, and existing penalties are insufficient to deter employers from committing child labor violations. (2,30,32)

The government does not publicly release information on its labor law enforcement efforts.

Saint Lucia

MODERATE ADVANCEMENT

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Saint Lucia 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 (3)	Unknown (7)
Training on New Laws Related to the Worst Forms of Child Labor	No (3)	Unknown (7)
Refresher Courses Provided	Yes (3)	Unknown (7)
Number of Investigations	0 (3)	Unknown (7)
Number of Violations Found	0 (3)	Unknown (7)
Number of Prosecutions Initiated	0 (3)	Unknown (7)
Number of Convictions	0 (3)	Unknown (7)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (7)

Although the local police can enforce laws against the worst forms of child labor, this effort is led by the Vulnerable Persons Unit. (2) During the reporting period, police officers were trained on victim identification, referral, and assistance skills. (6,14) However, sufficient training for police is needed to adequately identify and work with child victims of human trafficking. (3,14,30) In addition, insufficient resources, including funding, transportation, and equipment, hamper police capacity to enforce child labor laws. (2,3) The judicial system within the Ministry of Home Affairs, National Security, and Justice also has a backlog of cases and lacks personnel and resources. (6,14,30)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
Ministry of Health, Wellness, Human Services, and Gender Relations	Refers potential child labor cases to the Royal Saint Lucia Police Force. (28)
Trafficking in Persons Task Force	Coordinates the identification and referral of human trafficking cases among law enforcement, social services, and immigration officials, under the Counter-Trafficking Act. Includes public servants, representatives from the Department of Labor, police, and victim-service NGOs. (12,20,28) Active in 2018 and implemented its national anti-trafficking action plan. (7)
Office of Gender Relations	Provides referrals to human trafficking victims for health, advocacy, crisis, and legal services. (13)

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 mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Trafficking in Persons (2016–2019)	Identifies the strategic goals and objectives for combating human trafficking, and the means to achieve them. Establishes the coordination of counter-trafficking measures and the adequate cooperation between all actors through the National Framework for Combating Trafficking in Persons. (2,7,16,33) Active in 2018. (7)
National Social Protection Policy (2014–2024)	Establishes a social protection policy in Phase I (2014 – 2019) by consolidating the Social Safety Net programs. In Phase II (2019 – 2024), will implement wider reforms for creating a coherent social protection policy. (2) Child protection policies are incorporated into poverty reduction concepts and promote access to education. (11,34) Worked with UNICEF to conduct a report on adolescent wellness in 2018. (14)

In 2018, the government published the National Child Protection Action Plan Report and conducted workshops to familiarize stakeholders with the action plan. (7) Although the government did not formally adopt the Action Plan, it undertook suggested actions from the Plan, including reviewing and revising the Child Protection Reporting Protocol. (7,35,36)

During the reporting period, the National Social Protection Policy provided assistance to serve entire families instead of only targeted individuals. (3,14) This has helped a core group of the lowest-income families. (14) Case management within the inter-agency mechanism, consisting of coordination between police, social workers, and labor inspectors, remains an issue due to not being electronic. (14) In addition, child labor elimination and prevention strategies are not integrated into the National Social Protection Policy. (12) Research did not reveal policies addressing commercial sexual exploitation of children. (6)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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

Table 10. Key Social Programs to Address Child Labor

Program	Description
Educational Programs†	The Saint Lucia Social Development Fund and Public Assistance Program fosters school attendance; the Community Empowerment's After School Program aims to improve academic performance and maintains school attendance of children ages 8 to 16; the Upton Garden Girls Center provides education, training, and self-development opportunities to teenage girls; the Center for Adolescent Renewal and Education provides second-chance education, training, and self-development services to adolescents; the Boys Training Center supports boys ages 10 to 18 who have come in contact with the law or require care and protection; and the <i>Koudmen Sent Lisi</i> program funds textbook rentals, a book bursary that reimburses students for textbooks, a school feeding program, and a transportation subsidy program at most secondary schools. (1-3,11) In 2018, held a seminar with UNICEF on child protection and children's rights. (14,37)
Strengthening Capacity to Accelerate Eradication of Child Labor in Latin America and the Caribbean	Government of Spain-funded \$603,070, 2-year project implemented by ILO-IPEC that aims to strengthen public policies and government capacity to combat child labor in more than 20 countries in Latin America and the Caribbean, including Saint Lucia. (38)

† Program is funded by the Government of Saint Lucia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (7,39)

Research found no evidence of any programs with the specific goal of eliminating or preventing child labor, including its worst forms. In addition, overall funding for social programs remains a concern because it does not meet the needs of all children in the country, especially trafficked children and those engaged in illicit activities, and it is highly dependent on foreign assistance. (3,6,14)

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 Saint Lucia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited for children in consultation with employers' and workers' organizations.	2017 – 2018
	Ensure that laws criminally prohibit the forced labor of children.	2016 – 2018
	Ensure that laws criminally prohibit using or offering a child for commercial sexual exploitation.	2016 – 2018
	Ensure that laws prohibit procuring or offering a child for illicit activities, including drug trafficking and production.	2011 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2018

Saint Lucia

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Authorize labor inspectors to assess penalties for labor law violations.	2016 – 2018
	Ensure existing penalties are sufficient to deter employers from committing child labor violations.	2018
	Ensure that new labor inspectors and criminal law enforcement investigators receive training on child labor law enforcement and that refresher courses are provided for all labor inspectors.	2015 – 2018
	Publish information on labor and criminal law enforcement, including funding for the labor inspectorate, the number of labor inspections conducted, number of child labor violations found, number of prosecutions initiated, and number of convictions related to child labor.	2018
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data on risk-prone sectors and patterns of serious incidents.	2015 – 2018
	Ensure that the labor inspectorate receives sufficient funding for conducting labor inspections.	2015 – 2018
	Increase the resources allocated to criminal investigators, including training, transportation, and equipment.	2017 – 2018
	Manage judicial cases adequately by ensuring that there is no backlog and by increasing resources, including personnel.	2017 – 2018
Coordination	Ensure that case management within the inter-agency mechanism functions properly.	2018
Government Policies	Ensure that child labor elimination and prevention strategies are integrated into the National Social Protection Policy.	2015 – 2018
	Adopt a policy that addresses all worst forms of child labor, including the commercial sexual exploitation of children.	2010 – 2018
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2018
	Enhance efforts to eliminate barriers and make education accessible for all children by ensuring that violence does not occur at schools.	2018
	Design and implement social programs that specifically target and assist children engaged in the worst forms of child labor, including in commercial sexual exploitation and illicit activities such as the sale and transportation of drugs.	2013 – 2018
	Ensure that funding for social programs is sufficient so that it can meet the needs of all vulnerable children in the country and does not rely on foreign funding.	2017 – 2018

REFERENCES

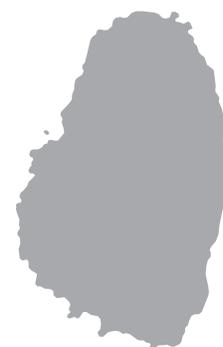
- U.S. Embassy- Bridgetown. Reporting. January 14, 2015.
- U.S. Embassy- Bridgetown. Reporting. January 11, 2017.
- U.S. Embassy- Bridgetown. Reporting. January 24, 2018.
- ILO. Rapid Assessment of child labour in Saint Lucia. 2017. http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-port_of_spain/documents/publication/wcms_570384.pdf.
- U.S. Department of State. Trafficking in Persons Report- 2016: Saint Lucia. Washington, DC, March 3, 2017. <https://2009-2017.state.gov/documents/organization/258881.pdf>.
- U.S. Embassy- Bridgetown. Reporting. February 12, 2018.
- U.S. Embassy- Bridgetown. Reporting. January 10, 2019.
- U.S. Department of State. Trafficking in Persons Report- 2018: Saint Lucia. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/st-lucia/>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2014. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Bridgetown. Reporting. January 15, 2016.
- U.S. Embassy- Bridgetown official. Email communication to USDOL official. February 3, 2017.
- U.S. Embassy- Bridgetown. Reporting. February 13, 2015.
- U.S. Embassy- Bridgetown official. Email communication to USDOL official. February 19, 2019.
- U.S. Embassy- Bridgetown. Reporting. February 1, 2016.
- U.S. Embassy- Bridgetown. Reporting. February 13, 2017.
- Government of Saint Lucia. Labour Code. Enacted: 2006. <http://www.govt.lc/media.govt.lc/www/resources/legislation/SaintLuciaLabourCode2006.pdf>.
- Government of Saint Lucia. Labour Code Amendment Act. Enacted: 2011. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/90256/103932/F1035762991/LCA90256.pdf>.
- Government of Saint Lucia. The Saint Lucia Constitutional Order of 1978. Enacted: 1978. <http://pdba.georgetown.edu/Constitutions/Lucia/Luc78.html>.
- Government of Saint Lucia. Counter-Trafficking Act 2010, No. 7. Enacted: January 25, 2010. Source on file.
- Government of Saint Lucia. Criminal Code. Enacted: 2004. Source on file.
- Government of Saint Lucia. Education Act, 41. Enacted: 1999. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=88071&p_country=LCA&p_count=82.
- CIA. The World Factbook: Saint Lucia. Cited August 6, 2018. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.

- 24 Government of Saint Lucia. Computer Misuse Act. December 31, 2013. Source on file.
- 25 Government of Saint Lucia. Child Justice Act. October 24, 2018. <http://www.govt.lc/publications/child-justice-bill>.
- 26 Government of Saint Lucia. Child Care, Protection, and Adoption Act. October 24, 2018. <http://www.govt.lc/publications/child-care-protection-and-adoption-bill>.
- 27 ILO Committee of Experts. Individual Direct Request Concerning Worst Forms of Child Labor Convention, 1999 (No.182) Saint Lucia (Ratification: 2000). Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3294423.
- 28 U.S. Embassy- Bridgetown. Reporting. January 16, 2014.
- 29 ILO Committee of Experts. Individual Direct Request Concerning the Worst Forms of Child Labor Convention, 1999 (No.182) Saint Lucia (Ratification: 2000) Published: 2014. Accessed November 25, 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3142605,103329,Saint.
- 30 U.S. Embassy- Bridgetown official. Email communication to USDOL official. June 20, 2018.
- 31 U.S. Department of State. Country Reports on Human Rights Practices- 2015: Saint Lucia. Washington, DC, April 13, 2016. <https://2009-2017.state.gov/documents/organization/253251.pdf>.
- 32 U.S. Embassy- Bridgetown official. Email communication to USDOL official. June 20, 2016.
- 33 Government of Saint Lucia. Statement on capacity building and public awareness campaign in trafficking in persons. October 11, 2017. <https://www.stlucianewsonline.com/statement-on-capacity-building-and-public-awareness-campaign-in-trafficking-in-persons/>.
- 34 Government of Saint Lucia. National Social Protection Policy. 2015. <http://www.govt.lc/media.govt.lc/www/resources/publications/NSPP--FINAL-05.03.15.pdf>.
- 35 UNICEF. National Child Protection Action Plan. February 2018. <https://www.oecs.org/sdu-resources/slu-action-plan-report-feb-2018-recovered-pdf/viewdocument>.
- 36 Saint Lucia News Online. Successful consultation on Child Justice System in Saint Lucia. February 9, 2018. <https://www.stlucianewsonline.com/successful-consultation-on-child-justice-system-in-saint-lucia/>.
- 37 Bicette-Joseph, Geraldine. UNICEF hosts Children and the Media seminar. Saint Lucia News Online. February 21, 2018 <https://www.stlucianewsonline.com/unicef-hosts-children-and-the-media-seminar/>.
- 38 ILO. Saint Lucia and the Bahamas to host ILO. March 3, 2017. http://www.ilo.org/caribbean/newsroom/WCMS_546408/lang--en/index.htm.
- 39 Dominica News Online. Anti-domestic violence computer game rolls out in St Lucian schools. Dominica News Online. October 12, 2018. <http://dominicanewsonline.com/news/homepage/news/educationyouth/anti-domestic-violence-computer-game-rolls-out-in-st-lucian-schools/>.

Saint Vincent and the Grenadines

MINIMAL ADVANCEMENT

In 2018, Saint Vincent and the Grenadines made a minimal advancement in efforts to eliminate the worst forms of child labor. The government increased the budget for the labor inspectorate and the number of labor inspectors. The government also trained criminal law enforcement personnel on child labor and human trafficking. Although research is limited, there is evidence that children in Saint Vincent and the Grenadines engage in the worst forms of child labor, including in commercial sexual exploitation. Limited research also suggests that children perform dangerous tasks in begging. Gaps remain in the legal framework, as the minimum age for hazardous work falls below international standards and there is no law to prohibit the use of children in the production of drugs.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Saint Vincent and the Grenadines engage in the worst forms of child labor, including in commercial sexual exploitation. (1-3) Limited research also suggests that children perform dangerous tasks in begging. (4-6) Table 1 provides key indicators on children's work and education in Saint Vincent and the Grenadines. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		90.0

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (7) Data were unavailable from International Labor Organization's analysis, 2019. (8)

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	Activities unknown (1,2,9)
Services	Domestic work and begging (10-12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,13-15)

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

Limited research and information received from various sources suggest that some children in Saint Vincent and the Grenadines are subjected to commercial sexual exploitation, including by their relatives, in exchange for money or goods. (3,9,16,17) Limited research also suggests that children engage in illicit activities in the cultivation of cannabis. (1,2)

All children in the country are able to access education. (2,18) However, inadequate public transportation for children in rural villages causes them to walk long distances to attend school, which may make attending school difficult. (2) Children out of school are vulnerable to engage in child labor.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Saint Vincent and the Grenadines has ratified all key international conventions concerning child labor (Table 3).



Saint Vincent and the Grenadines

MINIMAL ADVANCEMENT

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 Saint Vincent and the Grenadines' legal framework to adequately protect children from the worst forms of child labor, including the minimum age for hazardous work and prohibition of using children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 8 of the Employment of Women, Young Persons, and Children Act (19)
Minimum Age for Hazardous Work	No		Schedule, Part I, Articles 1–2 and 5 of the Employment of Women, Young Persons, and Children Act (19)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Part I, Sections 3–4, and Articles 1–2 and 5 of the Employment of Women, Young Persons, and Children Act; Section VI(37) of the Saint Vincent and the Grenadines Occupational Safety and Health Act of 2017 (19,20)
Prohibition of Forced Labor	Yes		Chapter XII, Part 207 of the Criminal Code (21)
Prohibition of Child Trafficking	Yes		Part II, Articles 5–8 of the Prevention of Trafficking in Persons Act(22)
Prohibition of Commercial Sexual Exploitation of Children	No		Part II, Article 7 of the Prevention of Trafficking in Persons Act (22)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	N/A*		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Part I, Article 2 of the Education Act (18)
Free Public Education	Yes		Part III, Articles 14–16 of the Education Act (18)

* No conscription (23)

† No standing military (24)

The government has not determined by national law or regulation the types of hazardous work prohibited to children. In addition, the law does not prohibit use of children for prostitution, pornography, or pornographic performances. Furthermore, the use of children in the production and trafficking of drugs is not criminally prohibited. (22) The law also does not criminally prohibit the recruitment of children under age 18 by non-state armed groups.

Because 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.

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 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	Enforces child labor laws through its Department of Labor, and refers victims to appropriate social services. (5,9)
Royal Police Force	Makes criminal arrests, including those involving the worst forms of child labor. Addresses human trafficking through the Anti-Trafficking in Persons Unit (ATIPU), refers victims to appropriate social services, and funds financial requests made by the ATIPU. (5,25)
Ministry of Social Development	Maintains the Child Protection Unit, which includes Child Protection Officers who report cases of child abuse. (11)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Saint Vincent and the Grenadines took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate labor law enforcement, including allocating resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$453,200 (26)	\$612,991 (2)
Number of Labor Inspectors	4 (9)	6 (2,27)
Inspectorate Authorized to Assess Penalties	No (9)	No (2)
Initial Training for New Labor Inspectors	N/A (9)	N/A (2)
Training on New Laws Related to Child Labor	N/A (9)	N/A (2)
Refresher Courses Provided	Yes (9)	No (28)
Number of Labor Inspections Conducted	21 (29)	33 (2)
Number Conducted at Worksite	21 (29)	33 (2)
Number of Child Labor Violations Found	0 (9)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (9)	0 (2)
Number of Child Labor Penalties Imposed that Were Collected	N/A (9)	0 (2)
Routine Inspections Conducted	Yes (9)	Yes (2)
Routine Inspections Targeted	Yes (9)	Yes (2)
Unannounced Inspections Permitted	Yes (9)	Yes (2)
Unannounced Inspections Conducted	Yes (9)	Yes (2)
Complaint Mechanism Exists	Yes (9)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (2)

The Ministry of Labor can inspect all sectors and is responsible for investigating labor violations. If the Ministry finds a criminal violation, it forwards the case to the Royal Police Force. (9)

During the reporting period, the Department of Labor reported that the number of inspectors and funding was sufficient. (2) However, a lack of appropriate resources, such as computers and training, hampered the labor inspectorate's enforcement of child labor laws. (2,6,25,27,29) According to sources, the number of inspections conducted was also insufficient because few businesses were inspected. (9,27,29)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Saint Vincent and the Grenadines 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 allocating resources.

Saint Vincent and the Grenadines

MINIMAL ADVANCEMENT

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (9)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (9)	N/A (2)
Refresher Courses Provided	Yes (9)	Yes (2)
Number of Investigations	0 (9)	0 (2)
Number of Violations Found	0 (9)	0 (2)
Number of Prosecutions Initiated	0 (9)	0 (2)
Number of Convictions	0 (9)	0 (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (2)

In 2018, 41 new police recruits were trained on human trafficking and according to the police department, the police received sufficient training. (2,27) However, insufficient resources hampered the Anti-Trafficking in Persons Unit’s capacity to combat human trafficking, especially in remote, mountainous areas and on both islands. (3)

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 adequate coordination of efforts to address child labor, including efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
National Task Force Against Trafficking in Persons	Develops a national plan to address human trafficking, coordinates the collection of data among government agencies, establishes policies to enable government agencies to work with NGOs to prevent human trafficking and assist victims, and provides training to all relevant government officials and authority figures. Chaired by the Prime Minister. (5,22) Comprises representatives from police, immigration, public prosecutions, social services, gender affairs, and the Department of Labor. (16) Active in 2018. (3,27)

Sources have reported that efforts to counter child begging, a sector in which child labor is known to occur, could benefit from a coordinating mechanism. (27,29)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Child Protection Policy Framework (2015–2020)	Strengthens national child protection strategies and programs. (30) Charged with adopting policies, goals, and reporting standards for child protection. Active in 2018. (27)
National Plan of Action Against Trafficking in Persons (2016–2020)	Establishes procedures to eradicate human trafficking. Administered by the National Task Force Against Trafficking in Persons, which is chaired by the Prime Minister as head of the Ministry of National Security. (12,28,31,32) Active in 2018. (27)
Memorandum of Understanding (MOU) on Countering Human Trafficking in Saint Vincent and the Grenadines	Outlines the responsibilities of each signatory agency in combating human trafficking and the worst forms of child labor. (9,33) Assigns tasks and responsibilities among nine government stakeholders regarding trafficking in persons. (17,33) Includes the Department of Labor, Ministry of Foreign Affairs, Trade and Commerce, ATIPU, and others. (26) During 2018, the government continued to support the MOU between signatory agencies combatting human trafficking, including the worst forms of child labor. (2)

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.

Saint Vincent and the Grenadines

MINIMAL ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor

Program	Description
Government-funded educational programs†	Provide free meals to students and low-income families through the Supplementary Feeding Program. (9,34,35) Continued to fund other programs such as the Book Loan Program; the Street Children Rehabilitation Program; and the Foster Care Program. (9-11,34,36) Active in 2018. (2)
Zero Hunger Trust Fund‡	Provides meals, materials, and uniforms to children in need. (6) Active in 2018. (2)

† Program is funded by the Government of Saint Vincent and the Grenadines.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (3)

Although the government has implemented programs to address educational and food needs, research found no evidence that it has carried out programs specifically to assist children in commercial sexual exploitation and begging, both of which are industries reported to employ children. (27,29)

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 Saint Vincent and the Grenadines (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited to children, in consultation with workers' and employers' organizations, and ensure that the minimum age for hazardous work is 18.	2009 – 2018
	Ensure that the laws for forced labor and commercial sexual exploitation are sufficient and do not only apply to human trafficking.	2017 – 2018
	Ensure that laws prohibit using, procuring, or offering a child for the production of illicit drugs.	2011 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Authorize the labor inspectorate to assess penalties for labor law violations.	2016 – 2018
	Strengthen the labor inspectorate by providing sufficient resources to conduct labor inspections.	2015 – 2018
	Increase the amount of resources, including personnel and vehicles, for the Anti-Trafficking in Persons Unit.	2017 – 2018
	Ensure labor inspectors are provided refresher courses related to child labor.	2018
Coordination	Create a coordinating mechanism to combat child begging.	2018
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2018
	Enhance efforts to eliminate barriers and make education accessible for all children, including children in rural communities, by providing public transportation.	2018
	Institute programs to address the worst forms of child labor in commercial sexual exploitation and begging.	2017 – 2018

REFERENCES

- U.S. Department of State. Trafficking in Persons Report-2018: Saint Vincent and the Grenadines. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/saint-vincent-and-the-grenadines/>.
- U.S. Embassy- Bridgetown. Reporting. January 10, 2019.
- U.S. Embassy- Bridgetown. Reporting. February 13, 2019.
- U.S. Embassy- Bridgetown. Reporting. January 14, 2015.
- U.S. Embassy- Bridgetown. Reporting. January 17, 2014.
- U.S. Embassy- Bridgetown. Reporting. January 12, 2017.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Activity Survey (SIMPOC), 2013, Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy-Bridgetown. Reporting. January 12, 2018.
- U.S. Embassy-Bridgetown official. Email communication to USDOL official. March 3, 2014.
- Government of Saint Vincent and the Grenadines. Submitted in response to USDOL Federal Register Notice (November 13, 2014). "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor". February 23, 2015. Source on file.
- U.S. Embassy- Bridgetown. Reporting. February 1, 2016.

Saint Vincent and the Grenadines

MINIMAL ADVANCEMENT

- 13 U.S. Department of State. Trafficking in Persons Report-2017: Saint Vincent and the Grenadines. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/saint-vincent-and-the-grenadines/>.
- 14 U.S. Department of State. Trafficking in Persons Report-2015: Saint Vincent and the Grenadines. Washington, DC. 2015. <https://2009-2017.state.gov/j/tip/rls/tiprpt/2015/>.
- 15 U.S. Department of State. Trafficking in Persons Report-2016: Saint Vincent and the Grenadines. Washington, DC. 2016. <https://2009-2017.state.gov/j/tip/rls/tiprpt/countries/>.
- 16 U.S. Embassy-Bridgetown. Reporting. February 13, 2017.
- 17 U.S. Embassy-Bridgetown. Reporting. February 15, 2018.
- 18 Government of Saint Vincent and the Grenadines. Education Act Revised 2006. Enacted: 1992. Source on file.
- 19 Government of Saint Vincent and the Grenadines. Employment of Women, Young Persons, and Children Act, no. 85. Enacted: July 1, 1938. Source on file.
- 20 Government of Saint Vincent and the Grenadines. Occupational Safety and Health Act of 2017. November 24, 2017. Source on file.
- 21 Government of Saint Vincent and the Grenadines. Criminal Code. 1988. Source on file.
- 22 Government of Saint Vincent and the Grenadines. Prevention of Trafficking in Persons Act, no. 27. Enacted: September 29, 2011. Source on file.
- 23 Government of Saint Vincent and the Grenadines. Police Act Revised Edition 1990, Chapter 280. Enacted: 1947. Source on file.
- 24 CIA. The World Factbook: Saint Vincent and the Grenadines. Cited August 6, 2018. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/geos/vc.html>.
- 25 IOM. Baseline Assessment in the field of Capacity Building and Institutional Strengthening to Combat Human Trafficking. June 27, 2016. Source on file.
- 26 U.S. Embassy- Bridgetown official. Email communication to USDOL official. February 2, 2018.
- 27 U.S. Embassy- Bridgetown official. Email communication to USDOL official. February 6, 2019.
- 28 U.S. Embassy Bridgeport official. Email communication to USDOL official. July 9, 2019.
- 29 U.S. Embassy- Bridgetown official. Email communication to USDOL official. February 2, 2018.
- 30 U.S. Embassy- Bridgetown official. Email communication to USDOL official. May 22, 2018.
- 31 Government of Saint Vincent and the Grenadines. National Plan of Action 2016–2018. 2016. Source on file.
- 32 Government of Saint Vincent and the Grenadines. National Plan of Action (NAP) to Combat Human Trafficking 2016–2020. 2016. Source on file.
- 33 Government of Saint Vincent and the Grenadines. Memorandum of Understanding on Countering Human Trafficking in Saint Vincent and the Grenadines. June 30, 2017. Source on file.
- 34 U.S. Embassy- Bridgetown. Reporting. January 17, 2014.
- 35 Government of Saint Vincent and the Grenadines, Ministry of Education. School Feeding Programme. Accessed January 31, 2014. http://www.education.gov.vc/education/index.php?option=com_content&view=article&id=62&Itemid=81.
- 36 U.S. Embassy- Bridgetown. Reporting. February 1, 2016.

In 2018, Samoa made a moderate advancement in efforts to eliminate the worst forms of child labor. The government issued a public notice clarifying the list of hazardous work prohibited for children. In addition, the government established the Government Grant to Mission and Public Schools to provide financial assistance to low-income students as a continuation of the current School Fee Grant Scheme. However, children in Samoa engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children

also perform dangerous tasks in street vending. Research found no evidence of laws that ban using, procuring, or offering children for illicit activities, including for the production and trafficking of drugs. The government also lacks a mechanism to coordinate interagency efforts to address child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Samoa engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1) Children also perform dangerous tasks in street vending. (2,3) Table 1 provides key indicators on children's work and education in Samoa. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		104.6

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019. (4)

Data were unavailable from International Labor Organization's analysis, 2019. (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	Gathering coconuts, fruit, and nuts (6)
	Tending to domestic animals (6)
Services	Domestic work (1,6)
	Street vending, including selling food, garlands, and other products (1-3,7-12)
	Garbage scavenging (1)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1)
	Use in the production and trafficking of drugs (1)

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

Children in Samoa engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in street vending, including working late at night, and they are exposed to exhaust fumes and have an increased risk of being hit by passing traffic. (1,2,9) The Samoa School Fee Grant Scheme and Government Grant to Mission and Public Schools both provide financial assistance to families to help alleviate the burden of school fees, such as registration, uniforms, and transportation fees. (13,14)

Samoa

MODERATE ADVANCEMENT

II. LEGAL FRAMEWORK FOR CHILD LABOR

Samoa has ratified most 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 Samoa's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 51 of the Labour and Employment Relations Act (15)
Minimum Age for Hazardous Work	Yes	18	Article 51 of the Labour and Employment Relations Act (15)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 51 of the Labour and Employment Relations Act; Article 21 of the Labour and Employment Relations Regulations; Government of Samoa Public Notice on Hazardous Work for Children (15-17)
Prohibition of Forced Labor	Yes		Article 8 of the Constitution; Article 18 of the Labour and Employment Relations Act; Sections 155–157 of the Crimes Act (15, 18, 19)
Prohibition of Child Trafficking	Yes		Sections 155–157 of the Crimes Act (19)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 73–74, 82, and 157 of the Crimes Act (19)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 8 of the International Criminal Court Act (20)
Compulsory Education Age	No	14‡	Article 4 (Part II) of the Education Act (21)
Free Public Education	No		

† No standing military (20)

‡ Age calculated based on available information

In 2018, the Ministry of Commerce, Industry, and Labor (MCIL) drafted a Child Care and Protection Bill prohibiting children under age 14 to engage in street vending. Although the draft bill does not meet the international standard of age 15 as for the minimum age for work, it does prohibit children younger than the compulsory education age from engaging in street vending after 7 p.m. (22,23) In August 2017, the Government of Samoa issued a Public Notice clarifying the hazardous work occupations prohibited for children under age 18, including working long hours and with dangerous chemicals and heavy machinery. (17) The current law permits

children between ages 12 and 14 to engage in light work for a limited number of hours; however, it does not specify the conditions under which light work may be undertaken, nor does it define the activities that are permitted. (16) Research also found no evidence of laws that ban using, procuring, or offering children for illicit activities, including for the production and trafficking of drugs. Samoa does not meet the international standard for prohibiting non-state military recruitment because its International Criminal Court Act does not apply to children between ages 15 to 18. (20) Samoa also does not meet the international standard for the prohibition of child commercial sexual exploitation because the Government of Samoa's Crimes Act does not protect children between ages 16 to 18. (19)

The government created the Government Grant to Mission and Public Schools as a continuation of the School Fee Grant Scheme, which was supported by the Governments of Australia and New Zealand. (14) The Education Act requires that children attend school from ages 5 to 14 or until they have completed year eight of school. (21) This leaves children who have completed their education requirement but are not yet legally permitted to work vulnerable to involvement in the worst forms of child labor. (24)

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 authority of the MCIL that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Commerce, Industry, and Labor (MCIL)	Investigates complaints of child labor law violations. Refers cases to the Ministry of Police and the Office of the Attorney General for enforcement. (6)
Ministry of Police	Enforces criminal laws related to child labor. (6)
Office of the Attorney General	Prosecutes criminal cases of the worst forms of child labor. (6)
Ministry for Women, Community, and Social Development	Assists in MCIL investigations as needed. Mandated to protect children, including those working on the street. (6,25)
Ministry of Education, Sports, and Culture	Assists in MCIL investigations as needed. (6,26)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Samoa took actions to combat child labor (Table 6). However, gaps exist within the authority of the MCIL that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$0 (27)	\$0 (28)
Number of Labor Inspectors	4 (10,29)	4 (28)
Inspectorate Authorized to Assess Penalties	No (10,30)	No (28)
Initial Training for New Labor Inspectors	No (27)	N/A (28)
Training on New Laws Related to Child Labor	N/A (27)	N/A (28)
Refresher Courses Provided	Yes (27)	Yes (28)
Number of Labor Inspections Conducted	69 (27)	7 (28)
Number Conducted at Worksite	69 (27)	7 (28)
Number of Child Labor Violations Found	0 (27)	0 (28)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (27)	0 (28)
Number of Child Labor Penalties Imposed that Were Collected	0 (27)	0 (28)
Routine Inspections Conducted	Yes (27)	Yes (28)
Routine Inspections Targeted	Yes (27)	Yes (28)

MODERATE ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Unannounced Inspections Permitted	Yes (27)	Yes (28)
Unannounced Inspections Conducted	Yes (27)	Yes (28)
Complaint Mechanism Exists	Yes (10,30)	Yes (28)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (10,30)	No (28)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Samoa took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Unknown (31)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown (31)
Refresher Courses Provided	Unknown	Unknown (31)
Number of Investigations	Unknown	Unknown (31)
Number of Violations Found	Unknown	Unknown (31)
Number of Prosecutions Initiated	Unknown	Unknown (31)
Number of Convictions	Unknown	Unknown (31)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (31)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Unknown (31)

The Government of Samoa did not respond to requests for information related to criminal law enforcement efforts related to child labor.

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 efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
Transnational Crime Unit	A multi-agency unit that comprises the Ministry of Police, the Ministry for Revenue–Customs, and the Ministry of the Prime Minister’s Immigration Unit to investigate and enforce laws against human trafficking, including possible commercial child exploitation. (32,33) In 2018, the Transnational Crime Unit was active and reported regular policing activity. (31)

Research was unable to determine whether Samoa implemented any coordinating mechanism to eliminate child labor, including the worst forms of child labor.

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 integrating elimination and prevention strategies into policies relevant to child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
United Nations Pacific Strategy (2018–2022)†	A multinational strategic framework program consisting of 14 South Pacific nations to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (36)

† Policy was approved during the reporting period.

The government has not integrated child labor elimination and prevention strategies into the Strategy for the Development of Samoa or the Education Sector Plan. (37,38)

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
Samoa Decent Work Country Program (2017–2020)†	ILO and government program that promotes decent work in Samoa. Supports legal reform and improved implementation of laws related to child labor, and promotes access to information and employment services for youth. (39,40) Research was unable to determine whether activities were undertaken to implement the Samoa Decent Work Country Program during the reporting period.
Government Grant to Mission and Public Schools†	A government-sponsored program that provides financial support to families to assist with ancillary school fees, supplies, and equipment that their child may need during the school year. In 2018, the Government of Samoa allocated \$5.4 million to this grant. (14)
One Government Grant†	Provides direct financial support to Samoan primary and secondary public schools, mission and private schools, and primary schools for students with disabilities and special needs to offset fees normally charged to students. (31) In 2018, the Government of Samoa provided \$5.6 million in funding to the grant program. (41)

† Program is funded by the Government of Samoa.

Although the government has implemented educational support programs, research also found no evidence that it has carried out programs specifically designed to assist children engaged in commercial sexual exploitation or street vending.

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 Samoa (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2017 – 2018
	Ensure that the draft Child Care and Protection Bill amendment meets the international standard for the Minimum Age for Work.	2018
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor, including street vending.	2013 – 2018
	Ensure that the law criminally prohibits commercial sexual exploitation of children between ages 16 to 18.	2018
	Ensure that the law criminally prohibits using, procuring, or offering a child for illicit activities, including for the production and trafficking of drugs.	2014 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Ensure that the law establishes a compulsory education age that is at least equal to the minimum age for employment.	2014 – 2018
Enforcement	Institutionalize training for labor inspectors, including training new labor inspectors.	2015 – 2018
	Authorize the labor inspectorate to assess penalties.	2015 – 2018
	Establish a referral mechanism between labor enforcement authorities and social services providers.	2014 – 2018
	Publish information on the number criminal law enforcement efforts undertaken, including the number of child labor investigations initiated, the number of child labor penalties imposed, and the number of criminal law enforcement convictions secured.	2013 – 2018
Coordination	Establish and fully fund coordinating mechanisms to combat child labor, including the worst forms of child labor.	2009 – 2018
Government Policies	Integrate child labor elimination and prevention strategies into relevant policies.	2012 – 2018

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2018
	Institute programs to address the commercial sexual exploitation of children.	2018
	Enhance efforts to make education accessible for all children by fully eliminating school-related costs.	2016 – 2018
	Institute programs to address child labor in street vending.	2009 – 2018
	Publish information regarding the activities carried out by the Samoa Decent Work Country Program.	2018

REFERENCES

- ILO. Report of the Rapid Assessment of Children Working on the Streets of Apia, Samoa: A Pilot Study. 2017. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/publication/wcms_546199.pdf.
- Government of Samoa, Ministry of Women, Community and Social Development. Country Report on the Status on the Rights of the Child in Samoa - Consolidated Second, Third and Fourth Periodic Report on the Implementation of the Convention on the Rights of the Child. 2013. http://www.mwscsd.gov.ws/images/stories/PUBLICATIONS_WEBSITE/2014/CRC_Report_2013/1.CRC_Second_periodic_report_FINAL.pdf.
- Radio New Zealand. Samoa launches ILO report on child street vendors. March 10, 2017. <https://www.radionz.co.nz/international/programmes/datelinepacific/audio/201836195/samoa-launches-ilo-report-on-child-street-vendors>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Apia. Reporting. February 21, 2014.
- ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Samoa (Ratification: 2008). Published: 2018. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3143694:NO.
- Netzler, J. Samoa gov’t cracks down on child labor. January 24, 2015. <http://www.samoanews.com/samoa-govt-cracks-down-child-labor>.
- Samoa Observer. Ministry Investigates vendors’ activities. January 12, 2017. http://www.samoobserver.ws/en/12_01_2017/local/15760/Ministry-investigates-vendors'-activities.htm.
- U.S. Embassy- Apia. Reporting. January 23, 2018.
- UN Committee on the Rights of the Child. Concluding observations on the combined second to fourth periodic reports of Samoa. CRC/C/WSM/CO/2-4. July 12, 2016. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CRC/C/WSM/CO/2-4&Lang=en.
- Samoa Observer. Govt. takes first step to address child vendors. January 28, 2017. http://www.samoobserver.ws/en/28_01_2017/local/16284/Govt-takes-first-step-to--address-child-vendors.htm.
- UN Committee on the Rights of the Child. Concluding observations on the combined second to fourth periodic reports of Samoa**. CRC/C/WSM/CO/2-4. Geneva, 2016. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CRC/C/WSM/CO/2-4&Lang=en.
- U.S. Department of State official. Email communication to USDOL official. January 22, 2019.
- Government of Samoa. Labour and Employment Relations Act, No. 7. Enacted: 2013. http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93575/109439/F88586476/WSM93575_Eng.pdf.
- Government of Samoa. Labour and Employment Relations Regulations. Enacted: 2015. Source on file.
- Government of Samoa. Public Notice: Employing a Child Age 18 and Under Hazardous Conditions. August 22, 2017. https://www.mcil.gov.ws/wp-content/uploads/2017/08/Public_Notice_Dangerous_Work.pdf.
- Government of Samoa. Constitution of the Independent State of Samoa. Enacted: 1960. http://www.wipo.int/wipolex/en/text.jsp?file_id=198467.
- Government of Samoa. Crimes Act, No. 10. Enacted: 2013. http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93579/109447/F562462641/WSM93579_Eng.pdf.
- Government of Samoa. International Criminal Court, No. 26. Enacted: 2007. https://iccdb.hrlc.net/documents/implementations/pdf/Samoa_ICC_Act_2007.pdf.
- Government of Samoa. Education Act 2009. Enacted: 2009. http://www.pacii.org/ws/legis/num_act/ea2009104/.
- Government of Samoa. Draft Updated on Child Care and Protection Bill 2013. Source on file.
- Feagaimaali’i-Luamanu, Joyetter. Govt. to Ban Child Slavery. Samoa Observer. March 4, 2018. http://www.sobserver.ws/en/05_03_2018/local/30742/Govt-to-ban-child-slavery.htm.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Samoa (Ratification: 2008). Published: 2018. http://www.ilo.org/dyn/normlex/en/f?p=1000:13101:0::NO:13101:P13101_COMMENT_ID:3331667.
- U.S. Department of State official. Email communication to USDOL official. March 24, 2015.
- U.S. Department of State official. Email communication to USDOL official. May 8, 2015.
- U.S. Department of State official. Email communication to USDOL official. May 18, 2018.
- U.S. Embassy- Apia. Reporting. January 15, 2019.
- U.S. Department of State official. Email communication to USDOL official. January 18, 2017.
- U.S. Embassy- Apia. Reporting. January 13, 2017.
- U.S. Embassy- Apia official. Email communication to USDOL official. July 10, 2019.
- Government of Samoa. Transnational Crime Unit. Accessed March 8, 2019. <https://mpmc.gov.ws/divisions/tcu/>.
- UNODC. Transnational Organized Crime in the Pacific: A Threat Assessment. 2016. https://www.unodc.org/documents/southeastasiaandpacific/Publications/2016/2016.09.16_TOCTA_Pacific_web.pdf.

- 34 Government of Samoa. The Samoa School Fees Grant Scheme (SSFSGS). Program Design Document. May 5, 2010.
http://wbfiles.worldbank.org/documents/hdn/ed/saber/supporting_doc/EAP/Samoa/SAA/MESC_2011_Samoa_School_Fees_Grant_Scheme_Program_Design_Document.pdf.
- 35 Samoa Observer. Strengthening the Foundations, Building for Tomorrow. June 1, 2016.
http://www.samoaoobserver.ws/en/01_06_2016/local/6894/'Strengthening-the-foundations-building-for-tomorrow'.htm.
- 36 UN. United Nations Pacific Strategy 2018-2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017.
https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf.
- 37 Government of Samoa. Samoa Education Sector Plan July 2013 - June 2018. Enacted: December 2013.
http://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/samoa_education_sector_plan_2013-2018.pdf.
- 38 Government of Samoa, Ministry of Finance. Strategy for the Development of Samoa 2016/17-2019/20. December 2016.
https://www.mof.gov.ws/Portals/195/EPPD/SDS_1617-1920_Eng.pdf.
- 39 ILO. Samoa Decent Work Country Programme: 2013-2016. January 2014.
http://www.ilo.org/suva/countries-covered/samoa/WCMS_446093/lang-en/index.htm.
- 40 Samoa Observer. ILO Signs Key Document With Samoa. May 30, 2017.
http://www.samoaoobserver.ws/en/30_05_2017/local/20532/ILO-signs-key-document-with-Samoa.htm.
- 41 Fruean, Adel. Private schools get \$14 m Govt. help. The Samoa Observer. January 13, 2019.
<https://www.samoaoobserver.ws/category/samoa/5356>.



In 2018, São Tomé and Príncipe made a minimal advancement in efforts to eliminate the worst forms of child labor. The government adopted a new Labor Law, which includes a list of hazardous work prohibited for children. In addition, the new Basic Education System Law was adopted, increasing the compulsory education age to 15 years. The government also continued to contribute resources to support centers that aim to prevent child labor by keeping children in school. However, children in São Tomé and Príncipe engage in the worst forms of child labor in commercial sexual exploitation. Children also perform dangerous tasks in agriculture. Limited financial resources hamper law enforcement agencies' capacity to enforce child labor laws. The National Action Plan for the Elimination of Child Labor was not implemented due to lack of funding, and programs targeting children engaged in agriculture are lacking.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in São Tomé and Príncipe engage in the worst forms of child labor in commercial sexual exploitation. (1) Children also perform dangerous tasks in agriculture. (2) Table 1 provides key indicators on children's work and education in São Tomé and Príncipe.



Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.6 (Unavailable)
Attending School (%)	5 to 14	89.2
Combining Work and School (%)	7 to 14	24.9
Primary Completion Rate (%)		86.7

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014. (4)

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	Farming,† including weeding and fertilizing† (2,5)
	Fishing,† including line and hook fishing (2)
Industry	Carpentry and woodworking (6)
	Construction† (2)
Services	Working in shops, restaurants, and bars† (2,5)
	Street work,† including begging and street vending† (2,6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation (1,7)

† 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.

II. LEGAL FRAMEWORK FOR CHILD LABOR

São Tomé and Príncipe has ratified most key international conventions concerning child labor (Table 3).

São Tomé and Príncipe

MINIMAL ADVANCEMENT

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 São Tomé and Príncipe’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 268(2) of the Labor Code (8)
Minimum Age for Hazardous Work	Yes	18	Article 274 of the Labor Code; Article 171 of the Civil Code (24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Work List in Annex IV of Labor Code (8)
Prohibition of Forced Labor	Yes		Articles 159–160 and 181 of the Penal Code (10)
Prohibition of Child Trafficking	Yes		Articles 160 and 181 of the Penal Code (10)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179–182 of the Penal Code (10)
Prohibition of Using Children in Illicit Activities	Yes		Articles 279–280 and 289 of the Penal Code (10)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Legislation title unknown (11)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 1 of Decree-Law 3/83 (12)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15†	Articles 11–12 of the Basic Education System Law (13)
Free Public Education	Yes		Article 12 of the Basic Education System Law (13)

† Age calculated based on available information (13)

In 2018, the government approved a new Labor Law, which includes a list of hazardous work prohibited for children. (1,8) In addition, the new Basic Education System Law was adopted, increasing the compulsory education age to age 15. (13)

The new Labor Code permits children younger than age 14 to work under certain circumstances that are not consistent with international labor standards. The Labor Code also permits children age 14, who have completed their compulsory education, to perform light work that is not deemed harmful to their health or development, and indicates that a special legislation will be adopted that specifies the activities and conditions in which light work may be undertaken.

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 Social Affairs 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 Social Affairs	Enforces labor laws, including child labor. (1)
Ministry of Justice and Human Rights	Enforces criminal laws against the worst forms of child labor. (1)

Labor Law Enforcement

In 2018, labor law enforcement agencies in São Tomé and Príncipe took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Affairs that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$5,000 (7)	Unknown (1)
Number of Labor Inspectors	6 (7)	6 (1)
Inspectorate Authorized to Assess Penalties	Yes (7)	Yes (1)
Initial Training for New Labor Inspectors	N/A	N/A
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (7)	No (1)
Number of Labor Inspections Conducted	5 (7)	180 (14)
Number Conducted at Worksite	5 (7)	Unknown (1)
Number of Child Labor Violations Found	0 (7)	1 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	0 (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A	0 (1)
Routine Inspections Conducted	Yes (7)	Yes (1)
Routine Inspections Targeted	No (7)	No (1)
Unannounced Inspections Permitted	Yes (7)	Yes (1)
Unannounced Inspections Conducted	Yes (7)	Yes (1)
Complaint Mechanism Exists	Yes (7)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (1)

Although there was a considerable increase in the number of labor inspections conducted over the previous reporting period, enforcement of child labor laws remained challenging due to a lack of resources for inspections. (14)

Children found working during inspections by labor inspectors are referred to the Department of Social Protection and Solidarity in the Ministry of Labor and Social Affairs. (1)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in São Tomé and Príncipe 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 (7)	No (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	No (7)	No (1)
Number of Investigations	1 (15)	0 (1)
Number of Violations Found	0 (7)	0 (1)
Number of Prosecutions Initiated	0 (7)	0 (1)
Number of Convictions	0 (7)	0 (1)

São Tomé and Príncipe

MINIMAL ADVANCEMENT

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

Overview of Criminal Law Enforcement	2017	2018
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	N/A	N/A
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (1)

Children found by the Ministry of Justice and Human Rights officials are referred to the Department of Social Protection and Solidarity in the Ministry of Labor and Social Affairs, for integration and counseling services. (1)

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 adequate coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Anti-Child Labor Committee	Leads efforts to eliminate the worst forms of child labor. (16) Led by the Ministry of Labor and Social Affairs. (17) During the reporting period, the committee was not active. (18)
Department of Social Protection and Solidarity, Ministry of Labor and Social Affairs	Provides counseling and integration services to children found during labor inspections and criminal investigations. Active in 2018. (1)

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 funding and implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Elimination of Child Labor	Guides the government's efforts to combat child labor. (19,20) In 2018, the government continued to support the Action Plan; however, limited financial resources hindered its implementation. (1)

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 efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Decent Work Country Program (2013–2018)†	Government program in collaboration with ILO that aims to eliminate the worst forms of child labor through legislative action and strategic programs. (1,21) Active in 2018. (1)
Support Centers†	Three government-funded centers, run by NGOs, operating in areas with high concentrations of poor families, orphans, and street children. Provide household stipends to keep children in school and teach income-generating skills. (15,19,22) Active in 2018. (1)
Disadvantaged Mothers Program (Mães Carenciadas)†	Government program that provides in-kind support, including food, school materials, and uniforms on an as-needed basis. The support is distributed by social workers. (23) In 2018, at the beginning of the school year, the program distributed food, clothing, and school supplies to mothers with school-aged children. (1)

† Program is funded by the Government of São Tomé and Príncipe.

Research found no evidence of programs designed to specifically address children engaged in agriculture.

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 São Tomé and Príncipe (Table 11).

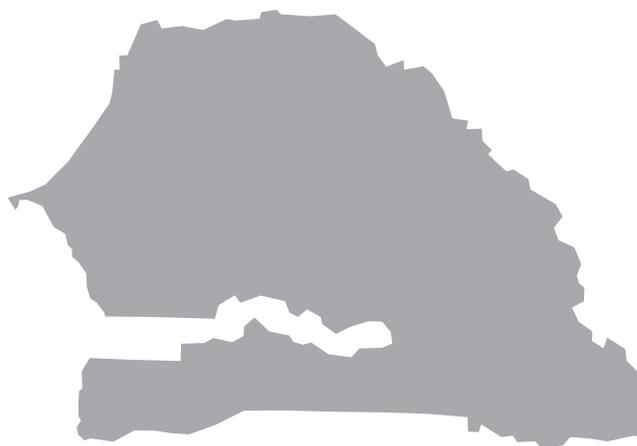
Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2014 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Ensure the minimum age for work of 15 applies to all children.	2018
	Adopt legislation defining activities, conditions and number of hours permissible for light work.	2018
Enforcement	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2017 – 2018
	Provide inspectors and investigators with appropriate training; equip labor inspectors with the necessary resources to conduct inspections.	2009 – 2018
	Publish information on labor inspectorate funding and number of inspections conducted at worksites.	2018
Coordination	Ensure that the Anti-Child Labor Committee is active.	2018
Government Policies	Ensure that the National Action Plan for the Elimination of Child Labor has sufficient resources for implementation.	2018
Social Programs	Implement programs that specifically target children engaged in agriculture.	2010 – 2018

REFERENCES

- U.S. Embassy- Libreville. Reporting. January 14, 2019.
- Government of São Tomé and Príncipe. Diagnóstico Rápido Sobre Trabalho Infantil em São Tomé e Príncipe. September 2014. Source on file.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2014. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Libreville. Reporting. January 15, 2016.
- Barros, M. Trabalho Infantil é Cada Vez Mais Frequente em São Tomé e Príncipe. October 6, 2015. Source on file.
- U.S. Embassy- Libreville. Reporting. March 28, 2018.
- Government of São Tomé and Príncipe. Código do Trabalho, Lei n.º 6/2019. Enacted: April 11, 2019. Source on file.
- Government of São Tomé and Príncipe. Regime Jurídico das Condições Individuais de Trabalho, Lei n.º 6/92. Enacted: June 11, 1992. [http://www.africanchildforum.org/clr/Legislation Per Country/saotome/saotome_labour_1992_pr.pdf](http://www.africanchildforum.org/clr/Legislation%20Per%20Country/saotome/saotome_labour_1992_pr.pdf).
- Government of São Tomé and Príncipe. Código Penal, Lei n.º 6/2012. Enacted: November 6, 2012. Source on file.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (no. 182) São Tomé and Príncipe (Ratification: 2005) Published: 2014. Accessed: January 14, 2014 http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3133628:NO.
- Government of São Tomé and Príncipe. Decreto-Lei n.º 3/83. Enacted: February 25, 1983. Source on file.
- Government of São Tomé and Príncipe. Lei de Bases do Sistema Educativo. Enacted: February 18, 2019. Source on File.
- U.S. Embassy- Libreville official. Email communication to USDOL official. June 20, 2019.
- U.S. Embassy- Libreville. Reporting. March 12, 2018.
- U.S. Embassy- Libreville official. Email communication to USDOL official. March 18, 2015.
- U.S. Embassy- Libreville official. Email communication to USDOL official. April 11, 2017.
- U.S. Embassy- Libreville official. Email communication to USDOL official. June 27, 2019.
- U.S. Embassy- Libreville. Reporting. January 17, 2017.
- Centro de Informação em Protecção Social. São Tomé e Príncipe: País adota Política Nacional de Protecção da Criança. March 28, 2016. <http://www.cipsocial.org/pt/noticia/1318/sao-tome-e-principe-pais-adota-politica-nacional-de-proteccao-da-crianca/1>.
- ILO. Programmes by country/subregion. January 4, 2017. Source on file.
- U.S. Embassy- Libreville. Reporting. February 6, 2015.
- U.S. Embassy- Libreville official. Email communication to USDOL official. May 22, 2018.

In 2018, Senegal made a moderate advancement in efforts to eliminate the worst forms of child labor. The government launched a second phase of *Retrait de la Rue*, a program to remove children engaged in forced begging in the Dakar area, with some success. The government also revised a 2005 anti-trafficking in persons law with an aim to widen its use by prosecutors. The government published additional information related to labor law enforcement. However, children in Senegal engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Children also perform dangerous tasks in gold mining. Criminal and labor law enforcement agencies lack adequate resources to carry out their work, and an overlap of mandated activities among the coordinating bodies creates confusion and obstructs adequate collaboration and enforcement. Furthermore, the types of hazardous work prohibited for children do not include domestic work and street work, areas where there is evidence of child involvement.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Senegal engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Children also perform dangerous tasks in gold mining. (1-7) Table 1 provides key indicators on children's work and education in Senegal. 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	22.3 (4,255,365)
Attending School (%)	5 to 14	53.0
Combining Work and School (%)	7 to 14	13.9
Primary Completion Rate (%)		60.2

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (1)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2015. (8)

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	Herding cattle (2,9)
	Fishing, activities unknown (2,9)
	Farming, including the production of cotton, rice, peanuts, and mangoes (2-4)
Industry	Washing ore, crushing rocks, using mercury, and carrying heavy loads† while mining gold, iron, and salt, and quarrying rock (2,4-7,10-12)
	Welding and auto repair (2,4,13)
Services	Domestic work (2-6,13,14)
	Street work, including vending (2,15,16)
Categorical Worst Forms of Child Labor‡	Forced domestic work, gold mining, fishing, and farming, each sometimes as a result of human trafficking (3,17-20)
	Commercial sexual exploitation, sometimes as a result of human trafficking (7,20,27,29,30)
	Forced begging, sometimes as a result of human trafficking (2,4,6,17-28)
	Forced labor in garbage collection (29)

† 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.

Senegal

MODERATE ADVANCEMENT

Children in Senegal are exploited in domestic servitude and forced labor in gold mines, and are trafficked for commercial sexual exploitation, particularly within the country. (18-20) Forced begging remains a significant problem in Senegal. It is a traditional practice to send boys to Koranic schools called *daaras*, at which students known as *talibés* receive a Koranic education from teachers known as *marabouts*; however, some *daaras* have corrupted the traditional practices, forcing many students to beg. (19,30-34) Corrupt *marabouts* take the *talibés*' earnings and beat those who fail to meet the daily quota. (22,24,30,32,33) According to a recent report by UNODC, this practice enriches *marabouts*, bringing in over \$10 million annually in Dakar alone. (35,36) *Talibés* at such institutions often live in overcrowded, unsanitary conditions, receive inadequate food and medical care, and are vulnerable to physical and sexual abuse. (22,23,29,30,33,37) Children from rural areas in Senegal and neighboring countries are particularly vulnerable to this practice, and are sometimes victims of human trafficking. (22,30,31,33,34,38) In 2018, a study by the NGO Global Solidarity Initiative determined that of the roughly 189,000 *talibé* children in the Dakar region, approximately 28,000 are involved in forced begging activities. (28,34)

A variety of barriers to education exists that force some students to quit school, including school-related fees, a lack of birth registration documents, and a lack of both teachers and rural schools. Some girls reportedly quit school due to sexual harassment, including by teachers. (13,17,39,40)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Senegal 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 Senegal's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of military recruitment by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article L. 145 of the Labor Code; Article 6 of the Decree Establishing the Scale of Penalties for Violations of the Labor Code and Associated Rules for Application(41,42)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Ministerial Order No. 3749 Determining and Prohibiting the Worst Forms of Child Labor; Article 1 of the Ministerial Order No. 3750 Determining the Types of Hazardous Work Prohibited for Children and Youth; Article 1 of the Ministerial Order No. 3751 Determining the Categories of Business and Work Prohibited to Children and Youth (43-45)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 2 of the Ministerial Order No. 3749 Determining and Prohibiting the Worst Forms of Child Labor; Ministerial Order No. 3750 Determining the Types of Hazardous Work Prohibited to Children and Youth; Article 2 of the Ministerial Order No. 3751 Determining the Categories of Business and Work Prohibited to Children and Youth (43-45)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article L. 4 of the Labor Code; Article 2 of the Ministerial Order No. 3749 Determining and Prohibiting the Worst Forms of Child Labor; Article 1 of the Law Concerning the Fight Against Trafficking in Persons and Similar Practices and the Protection of Victims (41,45,46)
Prohibition of Child Trafficking	Yes		Article 1 of the Law Concerning the Fight Against Trafficking in Persons and Similar Practices and the Protection of Victims (46)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 2 of the Ministerial Order No. 3749 Determining and Prohibiting the Worst Forms of Child Labor; Articles 323 and 324 of the Penal Code(45,47)
Prohibition of Using Children in Illicit Activities	Yes		Article 2 of the Ministerial Order No. 3749 Determining and Prohibiting the Worst Forms of Child Labor (45)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 19 of Law No. 2008-28 (48)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 3 of Law No. 2004-37(49)
Free Public Education	Yes		Article 3 of Law No. 2004-37; Articles 21 and 22 of the Constitution (49,50)

* No conscription (2)

During the reporting period, the government finalized and made public a draft of the revamped Child Code as part of the draft law comment period. (51,52) The government also drafted a revised law on human trafficking, aiming to widen the law's use by prosecutors because it has seldom been applied in the past. (51,53) Related to this revision project, the government also announced plans to draft a separate migrant smuggling law in a similar sense to encourage use of these laws by prosecutors. (51)

While the 2005 anti-trafficking law criminalized forced begging, provisions in the penal code that allowed seeking of alms under certain conditions may have hampered law enforcement officials' ability to distinguish between traditional alms seeking and exploitation through forced begging. (5,34,45,54-56) Government officials, UNODC, UNICEF, and local NGOs have stated that penalties for child labor violations may not be severe enough to deter employers from exploiting children, particularly because the penalties are rarely enforced. (57) Furthermore, the types of hazardous work prohibited for children do not include domestic work or street work, areas in which there is evidence of potential harm to child workers. (2,43-45) The light work provisions are also not specific enough to prevent children from involvement in child labor because they do not limit the number of hours per week for light work, determine the activities in which light work may be permitted, or specify the conditions in which light work may be undertaken. (41,42) Because 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. (34,41,42,49)

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, Social Dialogue, Professional Organizations, and Institutional Relations (MOL) that may hinder adequate enforcement of their child labor laws.

Senegal

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Social Dialogue, Professional Organizations, and Institutional Relations (MOL)	Enforces child labor laws through the Directorate General of Labor and Social Security and by using social security inspectors. (40,57)
Ministry of Justice (MOJ)	Enforces all laws through judicial role, including those on child trafficking, forced child begging, and forced labor, and prosecutes violations. (4) Trains police and judiciary on laws related to human trafficking and forced begging. (22) Through its Department of Correctional Education and Social Protection, helps develop draft texts in the field of social protection and juvenile delinquency; strengthens the capacity of stakeholders to care for children; and shares responsibility with the Ministry of Women, Family, and Children (MWFC) to provide services to vulnerable children. (25,58-60)
Ministry of the Interior and Public Security	Oversees all law enforcement agencies, including the local and national police officials who investigate cases of human trafficking and forced child begging, and arrests perpetrators of the worst forms of child labor. (4,18,61,62) Houses the Children's Unit, located in Dakar, which employs three officers who specialize in child protection, victim identification, and reinsertion. (18,25,61) Through its Children's Unit, receives assistance from the Vice Squad in child protection cases. (63) Through its Air and Border Police (<i>Police de l'air et des frontières</i>), focuses on migrant smuggling and transnational crimes. (64)
Ministry of Women, Family, and Children (MWFC)	Contributes to the creation and implementation of child protection policies, and provides services to victims of exploitative child labor. (65) Operates the Ginddi Center for vulnerable children and a toll-free child protection hotline through which the public can report child labor abuses. (20,25,29,34)

In 2018, the government created a new police division—Air and Border Police (*Police de l'air et des frontières*)—to focus on migrant smuggling and transnational crimes. (64)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Senegal took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including the lack of a formal and reciprocal referral mechanism between labor law enforcement, criminal law enforcement agencies, and social services.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$143,020 (13)	\$183,685 (66)
Number of Labor Inspectors	99 (13)	55 (66)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (66)
Initial Training for New Labor Inspectors	Yes (13)	Yes (66)
Training on New Laws Related to Child Labor	N/A (13)	N/A (66)
Refresher Courses Provided	No (13)	Yes (66)
Number of Labor Inspections Conducted	Unknown (13)	Unknown (66)
Number Conducted at Worksite	Unknown (13)	Unknown (66)
Number of Child Labor Violations Found	Unknown (13)	0 (66)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (13)	0 (66)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (13)	0 (66)
Routine Inspections Conducted	Unknown (13)	Yes (66)
Routine Inspections Targeted	Unknown (13)	Yes (66)
Unannounced Inspections Permitted	Yes (13)	Yes (66)
Unannounced Inspections Conducted	Yes (13)	Yes (66)
Complaint Mechanism Exists	No (13)	No (66)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (13)	No (66)

The second phase of the *Retrait* campaign removed begging children from the streets in Dakar and referred them for care to the government-run shelter known as the Ginddi Center. As of early 2018, USAID and UNODC are working in tandem with the four Dakar Municipalities of Gueule Tapée-Fass-Colobane, Diamaguene, Medina, Pikine Nord, and Sicap Mbao to support local daaras. (34,64-67) The number of labor inspectors is insufficient for the size of Senegal's workforce, which includes over 6 million workers. According to the ILO's technical

advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Senegal would employ about 174 labor inspectors. (68,69) The MOL acknowledged that the current number of labor inspectors is insufficient; it also noted that a high turnover rate and limited funding level have further hindered the labor inspectorate's capacity to enforce child labor laws. (2,4)

Anecdotal reports indicates there is a lack of child labor law enforcement in the informal sector, in which most children are employed. This is especially true in the artisanal gold mining sector because most activities take place in the far southeast of the country in the Kédougou region, far from the capital. (20,34,51) Article L. 241 of the Labor Code grants inspectors the authority to assess penalties for all offenses; however, they typically do so only for minor offenses and refer the more serious infractions to the courts for determination of penalties. (4,41,55) Courts may require violations to be resolved through conciliation at the labor inspectorate or refer cases to a tribunal for judgment. (4) The Ginddi Center's child protection hotline was operational during the reporting period and received 921 total calls from April 1, 2018 to March 31, 2019. It is not clear how many cases of child labor were identified because of these calls. (20,34)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Senegal took actions to combat child labor (Table 7). However, gaps exist within the authority and operations of the criminal law enforcement agencies that may hinder adequate criminal law enforcement, including the lack of knowledge by law enforcement officials and judges on the application of the Law Concerning the Fight Against Trafficking in Persons.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (13)	Yes (66)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (13)	N/A (66)
Refresher Courses Provided	No (13)	No (66)
Number of Investigations	Unknown (13)	Unknown (66)
Number of Violations Found	Unknown (13)	Unknown (66)
Number of Prosecutions Initiated	Unknown (13)	Unknown (66)
Number of Convictions	Unknown (13)	Unknown (66)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (34)	Unknown (34)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (13)	No (66)

The courts have had limited success in prosecuting cases related to forced begging due to a lack of coordination and resource constraints, and partly due to a perceived lack of political support, cultural norms, and pressure from influential Koranic teachers who support this practice, particularly in rural areas. (18,20,51,54,55,70-73) Although police stations in Senegal are expected to report cases involving children to the Ministry of the Interior and Public Security's Children's Unit, research found no evidence that this occurs regularly. (63,74)

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 clarity of institutional mandates.

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

Coordinating Body	Role & Description
National Committee Against Child Labor	Coordinates initiatives, policies, and partnerships with civil society organizations to address child labor. Chaired by the MOL and includes representatives from three ministries, the police, and elected officials. (18,51,75)
National Task Force Against Trafficking in Persons (CNLTP)	Reports on human trafficking in Senegal, with a focus on women and children; coordinates the implementation of the National Action Plan to Combat Trafficking in Human Beings and other efforts to prevent human trafficking; prosecutes perpetrators; and protects victims. (20,51,58,61) Chaired by the MOJ and employs five staff members. (18,51,58)

Senegal

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
Office of the President's Childhood Protection Unit	Coordinates government efforts related to child protection, including through the implementation of the National Strategy on Child Protection. (51,63,64,66,76) Contributes to the creation and implementation of child protection policies, and develops a national system for collecting and disseminating data on vulnerable children. Advocates on behalf of all entities working on issues related to child begging, violence against children, and child labor. (77)

The National Task Force Against Trafficking in Persons remains underfunded and research was unable to determine whether any coordinating bodies were active during the reporting period. Overlap among the activities of the coordinating bodies due to their institutional mandates also creates confusion and obstructs effective collaboration and implementation of efforts. (18-20,51,61,62,75)

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 lack of a national policy to address child labor, including its worst forms.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Trafficking in Human Beings† (2018–2020)	Implemented by CNLTP and a continuation of the previously ended action plan, along four axes: prevention, protection and prosecution, capacity building, and research and evaluation. (20,51)
National Strategy on Child Protection	Aims to establish an integrated national social protection system and specifically identifies the issue of child begging through an action plan with a recommended budget of \$18 million. (9,29) Implemented through Child Protection Committees (CDPEs), currently established in 24 prefectures, which refer victims to social services and assist law enforcement with reintegrating child trafficking victims. (9,18,25) In 2018, the government established the 39th CDPE in Bambey. The national strategy plan calls for a total of 46. (51)

† Policy adopted during reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (18)

In 2018, research was unable to determine whether any actions were undertaken to renew the National Action Plan on the Prevention and Abolition of Child Labor in Senegal, which expired in 2016.

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 adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Removal of Street Children (Retrait des enfants de la Rue)*	Government program to remove begging children from the streets of Dakar and place them in government-run shelters. (34,64-67) During the reporting period, the government recruited additional social workers to support the return of child beggars to families, strengthening the capacity of the Ginddi Center; and produced a handbook of management procedures for centers that receive and care for vulnerable children. In 2018, more than 1,000 children were provided services, including repatriation to neighboring countries of origin. (51)
Daara Modernization Program†	\$18.5 million government-funded voluntary program implemented by Tostan and <i>La Rencontre Africaine pour la Défense des Droits d'Homme</i> (RADDHO) that aims to regulate, inspect, and fund <i>daaras</i> and eliminate forced begging. (5,73,78) Research was unable to determine activities conducted during reporting period.
Ginddi Center‡	Shelter that serves abused and vulnerable children, including runaway <i>talibés</i> , street children, and child trafficking victims. (25,29,40,51,73) Provides food, education, vocational training, family mediation, medical and psychological care. (18,51,59,62,79) In 2018, the Ginddi Center provided services to 1,559 children, including coordinating repatriation to neighboring countries for some children. (51)
Centers to address child trafficking†	MOJ-run transit houses in Dakar, Pikine, and Saint-Louis that provide monitoring, education, and rehabilitation and reintegration services for victims of child trafficking. (18) Research was unable to determine activities conducted during the reporting period.

† Program is funded by the Government of Senegal.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,80-82)

Although the Government of Senegal has implemented programs to address child trafficking and forced begging, research found no evidence that the government has carried out programs to assist children in domestic work, agriculture, or mining. (4,17,29,62)

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 Senegal (Table I I).

Table I I. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that penalties for child labor violations, including the worst forms, are stringent enough to serve as a deterrent.	2014 – 2018
	Ensure that the types of hazardous work prohibited for children are comprehensive.	2016 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Clarify ambiguity in forced begging provisions in the Penal Code and the Law Concerning the Fight Against Trafficking in Persons to explicitly guarantee that no exceptions can enable a child to be forced to beg.	2017 – 2018
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2017 – 2018
	Establish by law a compulsory education age equal to or higher than the minimum age for work.	2018
Enforcement	Publish information on number of labor inspections conducted, including those at worksites.	2013 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice, and ensure adequate labor inspectorate funding.	2010 – 2018
	Ensure that labor law enforcement and inspections are carried out in the informal sector.	2014 – 2018
	Establish a mechanism to receive child labor complaints, and track cases of child labor for referral to law enforcement or social services providers.	2014 – 2018
	Ensure that criminal law investigators receive refresher training on laws related to the worst forms of child labor.	2016 – 2018
	Establish a formal and reciprocal referral mechanism between labor law enforcement and criminal law enforcement agencies and social services.	2016 – 2018
	Publish information on the criminal enforcement of child labor laws, including the number of investigations, violations found, prosecutions initiated, convictions, and imposed penalties for violations.	2016 – 2018
Coordination	Ensure that coordinating mechanisms on child labor are active and able to carry out their intended mandates by providing adequate resources, support, and distinct scopes of responsibility.	2010 – 2018
Government Policies	Adopt a national policy to address child labor.	2016 – 2018
Social Programs	Ensure that all children have access to education by eliminating school-related fees, building schools in rural areas, training additional teachers, ensuring that all children have access to birth registration, and ensuring that schools are free from sexual abuse.	2011 – 2018
	Institute programs to address child labor in domestic work, agriculture, and mining, and ensure that adequate funding is available to support existing programs targeting the worst forms of child labor, including forced begging.	2010 – 2018
	Undertake activities to support the Daara Modernization Program, and the Centers to address child trafficking.	2017 – 2018

REFERENCES

- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 12, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- U.S. Embassy- Dakar. Reporting. March 10, 2017.
- Brandt, Steven. Trafficking in Child Labor in Ghana and Senegal. 2015. <http://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1010&context=humtrafcon6>.
- U.S. Embassy- Dakar. Reporting. January 16, 2016.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Senegal (ratification: 2000). Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENThttp://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3288698_NT_ID:3288698.

MODERATE ADVANCEMENT

- 6 Diatta, Jean Michel. Afrique: Mendicité des enfants, emploi domestique, exploitation dans les mines - Les pires formes de traite des êtres humains. AllAfrica.com. July 31, 2014. <http://fr.allafrica.com/stories/201407311310.html>.
- 7 DHS official. Email communication to USDOL official. January 15, 2014.
- 8 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey, 2015. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 9 U.S. Embassy- Dakar. Reporting. February 5, 2014.
- 10 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Senegal (ratification: 2000). Published: 2014. http://www.ilo.org/dyn/normlex/en/f?p=I000:13100:0::NO:13100:P13100_COMMENT_ID:3142835:YES.
- 11 Barroux, Rémi. Au Sénégal, l'enfer des mines d'or pour des centaines d'enfants. Le Monde.fr. June 16, 2014. http://www.lemonde.fr/planete/article/2014/06/16/au-senegal-l-enfer-des-mines-d-or-pour-des-centaines-d-enfants_4438916_3244.html.
- 12 U.S. Embassy- Dakar official. Email communication to USDOL official. February 11, 2016.
- 13 U.S. Embassy- Dakar. Reporting. March 8, 2018.
- 14 Agence Nationale de la Statistique et de la Démographie, and ICF International. Enquête Démographique et de Santé Continue (EDS-Continue) 2014. Rockville, May 2015. <http://www.dhsprogram.com/pubs/pdf/FR305/FR305.pdf>.
- 15 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Senegal (ratification: 1999) Published: 2014. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:P13100_COMMENT_ID:3142787.
- 16 Diallo, Mamadou Alpha. Stop au travail des enfants! DW. June 12, 2017. <http://www.dw.com/fr/stop-au-travail-des-enfants/a-39206229>.
- 17 UN Committee on the Elimination of Discrimination against Women. Concluding Observations on the Combined Third to Seventh Periodic Reports of Senegal. Report No. CEDAW/C/SEN/CO/3-7. July 28, 2015. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/SEN/CO/3-7&Lang=En.
- 18 U.S. Embassy- Dakar. Reporting. February 29, 2016.
- 19 Government of Senegal. Rapport Atelier de Planification Stratégique de Lutte Contre la Traite des Personnes 2015–2017. Dakar: Cellule Nationale de Lutte contre la Traite des Personnes. June 2015. Source on file.
- 20 U.S. Department of State. Trafficking in Persons Report- 2018: Senegal. Washington, DC. 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/senegal/>.
- 21 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Senegal (ratification: 2000) Published: 2014. http://www.ilo.org/dyn/normlex/en/f?p=I000:13100:0::NO:13100:P13100_COMMENT_ID:3142838:YES.
- 22 Human Rights Watch. Senegal: Decade of Abuse in Quranic Schools. HRW.org November 4, 2015. <https://www.hrw.org/news/2015/04/20/senegal-decade-abuse-quranic-schools>.
- 23 Traoré, Kardiadou. Sénégal : la mort d'un jeune talibé relance le débat sur le sort des enfants de la rue. Afrik July 29, 2015. <http://www.afrik.com/senegal-la-mort-d-un-jeune-talibe-relance-le-debat-sur-le-sort-des-enfants-de-la-rue>.
- 24 Monégier, P. Sénégal : les enfants talibés des rues de Dakar. Envoyé spécial Franceinfo June 12, 2015. http://www.francetvinfo.fr/replay-magazine/france-2/envoye-special/video-senegal-les-enfants-talibes-des-rues-de-dakar_948013.html.
- 25 Government of Senegal. Communication sur la Protection et le Promotion des Droits des Enfants Migrants. Geneva: Embassy of the Republic of Senegal June 23, 2014. <http://www.ohchr.org/Documents/Issues/Migration/GA69thSession/Senegal.pdf>.
- 26 Bengel, Anna. 'Protect our Children' project prevents trafficking of three brothers in Senegal. Free the Slaves, June 6, 2017. <https://www.freetheslaves.net/protect-our-children-project-prevents-trafficking-of-three-brothers-in-senegal/>.
- 27 Guilbert, Kieran. Child begging rampant in Senegal despite state crackdown: activists. Reuters July 11, 2017. <https://www.reuters.com/article/us-senegal-trafficking-children/child-begging-rampant-in-senegal-despite-state-crackdown-activists-idUSKBN19W28O>.
- 28 Human Rights Watch. "I still see the talibés begging": Government Program to Protect Talibé Children in Senegal Falls Short. 2017. https://www.hrw.org/sites/default/files/report_pdf/senegal0717_web_1.pdf.
- 29 Human Rights Watch. Exploitation in the Name of Education: Uneven Progress in Ending Forced Child Begging in Senegal. March 2014. http://www.hrw.org/sites/default/files/reports/senegal0314_ForUpload.pdf.
- 30 Anadolu Agency. Begging among children growing problem in Senegal. Dailysabah.com. September 15, 2015. <http://www.dailysabah.com/life/2015/09/16/begging-among-children-growing-problem-in-senegal>.
- 31 Daily Mail. Guinea-Bissau smashes child trafficking ring: police. Agence France Presse March 8, 2015. <http://www.dailymail.co.uk/wires/afp/article-2985217/Guinea-Bissau-smashes-child-trafficking-ring-police.html>.
- 32 Elsen, Wouter. Talibé. Journeyman Pictures. December 4, 2015. <http://www.journeyman.tv/69416/short-films/talibe-hd.html>.
- 33 Cruz, Mario. The Truth About Child Trafficking in Senegal. Newsweek.com. February 17, 2016. <http://www.newsweek.com/senegal-child-trafficking-koranic-boarding-school-daaras-427621>.
- 34 U.S. Embassy- Dakar official. Email communication to USDOL official. July 9, 2019.
- 35 Boutelier, Emile. Talibés: les enfants mendiants du Sénégal, de l'or pour les marabouts. L'Obs. August 15, 2017. <https://tempsreel.nouvelobs.com/monde/20170731.OBS2779/talibes-les-enfants-mendiants-du-senegal-de-l-or-pour-les-marabouts.html>.
- 36 Ndiaye, Zakaria. Sénégal: un programme contre la mendicité des enfants. Afrique Actualite. March 14, 2017. Source on file.
- 37 Cruz, Mario, and Mirren Gidda. Senegal: School of Knocks. Newsweek.com. June 8, 2016. <http://newsweekme.com/senegal-school-of-knocks/>.
- 38 Agence France-Presse. Senegal Cracks Down on Child Begging. Enca.com. July 23, 2016. <http://www.enca.com/africa/senegalese-authorities-aim-to-end-child-begging>.
- 39 Maillard, Matteo. Les Enfants Fantômes du Sénégal. Le Monde, August 3, 2016. http://www.lemonde.fr/afrique/article/2016/08/03/un-combat-pour-la-vie-3-les-enfants-fantomes-du-senegal_4977772_3212.html.
- 40 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Senegal. Washington, DC. 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/senegal/>.
- 41 Government of Senegal. Code du Travail, Law No. 97-17. Enacted: December 1, 1997. <http://www.droit-afrique.com/images/textes/Senegal/Senegal - Code du travail.pdf>.

- 42 Government of Senegal. Décret Fixant l'Échelle des Peines de Simple Police Applicables aux Auteurs de Contraventions aux Dispositions du Code du Travail et des Règlements Prévus pour son Application, Decret No. 62-017. Enacted: January 22, 1962. Source on file.
- 43 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. Enacted June 6, 2003. <http://www.ilo.org/dyn/natlex/docs/SERIAL/64611/64953/F1229124862/SEN64611.pdf>.
- 44 Government of Senegal. Arrêté Ministériel n° 3751 MFPTEOP-DTSS en date du 6 juin 2003. Enacted: June 6, 2003. <http://www.ilo.org/dyn/natlex/docs/SERIAL/64612/64952/F364251671/SEN64612.pdf>.
- 45 Government of Senegal. Arrêté Ministériel n° 3749 MFPTEOP-DTSS en date du 6 juin 2003. Enacted: June 6, 2003. <http://www.ilo.org/dyn/natlex/docs/SERIAL/64610/64951/F2020269921/SEN64610.pdf>.
- 46 Government of Senegal. Loi n° 2005-06 du 10 mai 2005 Relatif à la Lutte Contre la Traite des Personnes et Pratiques Assimilées et à la Protection des Victimes. Enacted: May 10, 2005. http://www.centif.sn/Loi_2005_06.pdf.
- 47 Government of Senegal. Code Penal, Law No. 65-60. Enacted: July 21, 1965. <http://www.wipo.int/edocs/lexdocs/laws/fr/sn/sn010fr.pdf>.
- 48 Government of Senegal. Loi n° 2008-28 du 28 Juillet 2008. Enacted: July 28, 2008. <http://www.jo.gouv.sn/spip.php?article7178>.
- 49 Government of Senegal. Loi n° 2004-37 du 15 Décembre 2004. Enacted: December 15, 2004. <http://www.jo.gouv.sn/spip.php?article2689>.
- 50 Government of Senegal. Constitution of the Republic of Senegal. Enacted January 22, 2001. Source on file.
- 51 U.S. Embassy- Dakar. Reporting. March 7, 2019.
- 52 Government of Senegal. Projet de loi portant Code de l'enfant. 2019. Source on file.
- 53 Government of Senegal. Proposition de loi portant modification de loi n. 2005-06 du 10 mai 2005 relative a la lutte contre la traite des personnes et pratiques asimilees et a la protection des victmes. 2019. Source on file.
- 54 U.S. Embassy- Dakar official. Email communication to USDOL official. December 9, 2015.
- 55 U.S. Embassy- Dakar official. Email communication to USDOL official. March 27, 2015.
- 56 U.S. Embassy- Dakar official. Email communication to USDOS official. February 28, 2019.
- 57 U.S. Embassy- Dakar. Reporting. January 20, 2015.
- 58 U.S. Embassy- Dakar official. Email communication to USDOL official. February 12, 2016.
- 59 Faye, Saliou. La problématique des enfants de rue au Sénégal. Chicoutimi: Université du Québec à Chicoutimi. March 2, 2015. http://classiques.uqac.ca/contemporains/Faye_Saliou/problematique_enfants_de_rue_senegal/problematique_enfants_de_rue_senegal.pdf.
- 60 Government of Senegal. Demander le placement d'un enfant mineur dans les centres spécialisés. Accessed December 16, 2015. http://www.servicepublic.gouv.sn/index.php/demarche_administrative/demarche/1/3677/50.
- 61 U.S. Embassy- Dakar official. Email communication to USDOL official. March 18, 2015.
- 62 U.S. Embassy- Dakar official. Email communication to USDOL official. January 25, 2016.
- 63 U.S. Embassy- Dakar official. Email communication to USDOL official. May 12, 2016.
- 64 U.S. Embassy- Dakar. Reporting. November 26, 2018.
- 65 Government of Senegal. Décret n° 2014-874 Relatif aux Attributions du Ministre de la Femme, de la Famille et de l'Enfance. Enacted: July 22, 2014. Source on file.
- 66 U.S. Embassy- Dakar. Reporting. January 25, 2019.
- 67 UNODC. Launch of a new Project against Child Begging in Senegal. February 27, 2018. <http://www.unodc.org/westandcentralafrica/en/2018-02-27-senegal-child-begging.html>.
- 68 CIA. The World Factbook. Accessed March 16, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/fields/2095.html#131>.
- 69 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 70 Child Rights International Network. Senegal: First steps taken to eradicate forced child begging in Quranic schools. London. August 7, 2015. https://www.crin.org/sites/default/files/senegal_talibes_case_study.pdf.
- 71 U.S. Embassy- Dakar official. Email communication to USDOL official. May 5, 2016.
- 72 U.S. Embassy- Dakar official. Email communication to USDOL official. June 23, 2016.
- 73 Guilbert, Kieran. Can Senegal Stop Child Begging Trafficking By Islamic Teachers? Reuters, November 16, 2016. <http://news.trust.org/item/20161116095639-ejnrk/>.
- 74 Government of Senegal. Cartographie et Analyse des Systèmes de Protection de l'Enfance au Senegal. Dakar: Ministère de la Famille, des Groupements Féminins et de la Protection de l'Enfance; Ministère de la Justice; and Cellule d'Appui à la Protection de l'Enfance. 2011. http://www.unicef.org/wcaro/english/Senegal_Carto_Analyse_Systemes_Prot_Enfant.pdf.
- 75 U.S. Embassy- Dakar official. Email communication to USDOL official. February 18, 2014.
- 76 Ba, Mehdi. Sénégal : la Décision de Macky Sall de Retirer les Enfants Talibés des Rues sera Difficile à Mettre en Pratique. Jeuneafrique.com, July 13, 2016. <http://www.jeuneafrique.com/mag/340256/societe/senegal-decision-de-macky-sall-de-retirer-enfants-talibes-rues-sera-difficile-a-mettre-pratique/>.
- 77 Government of Senegal. Présentation de la CAPE. March 1, 2016. Source on file.
- 78 Anti-Slavery International. Project on Forced Child Begging of Talibés in Senegal. Accessed December 22, 2015. http://www.antislavery.org/english/what_we_do/child_slavery/forced_child_begging_in_senegal.aspx.
- 79 VOA. Le combat sans fin pour arracher les enfants du Sénégal à la mendicité. July 27, 2017. <https://www.voafrique.com/a/la-combat-sans-fin-pour-arracher-les-enfants-du-senegal-a-la-mendicite/3961078.html>.
- 80 SeneNews. Lutte contre l'exploitation sexuelle des enfants: le Sénégal et le Luxembourg unissent leurs forces. January 31, 2017. https://www.senenews.com/actualites/lutte-contre-lexploitation-sexuelle-des-enfants-le-senegal-et-le-luxembourg-unissent-leurs-forces_179242.html.
- 81 World Bank. Senegal Safety Net Operation Implementation Status & Results Report. June 5, 2017. <http://documents.worldbank.org/curated/en/161361496670468507/pdf/ISR-Disclosable-PI33597-06-05-2017-1496670456135.pdf>.
- 82 UNODC. Symposium on the responsibility of judges in protecting victims of trafficking and smuggled migrants. April 19, 2019. <http://www.unodc.org/westandcentralafrica/en/2018-04-19-atelier-tipsom-dakar-avril-2018.html>.

In 2018, Serbia made a significant advancement in efforts to eliminate the worst forms of child labor. The government drafted the Law on the Rights of the Child and Protection of Child Rights and launched a Roadmap for Eliminating Abuse of Child Labor in Serbia. The Council for Children's Rights drafted a Strategy for Protection of Children from Violence and the Ministry of Interior developed Standard Operating Procedures for Human Trafficking Victims Protections. In addition, the government provided cash transfers to 380,000 vulnerable families with children, and applied penalties in 25 criminal cases related to child labor. However, children in Serbia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. Serbia's laws do not treat child beggars as victims and Serbia's social welfare centers are overburdened, which limits efforts to combat child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Serbia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. (4,5,6,7) Table 1 provides key indicators on children's work and education in Serbia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	15.1 (725,227)
Attending School (%)	5 to 14	94.7
Combining Work and School (%)	7 to 14	17.4
Primary Completion Rate (%)		99

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (8)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014. (9)

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	Farming, activities unknown (4)
	Forestry, activities unknown (10)
	Fishing, activities unknown (10)
Industry	Manufacturing, activities unknown (5)
	Construction, activities unknown (4,11)
Services	Street work, including washing cars, collecting scrap material, vending, and begging (1,5,11-13)
	Wholesale and retail trade (4,5,10,12)
	Working in food service, information and communication, and transportation and storage (4,5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (4-7,11)
	Forced begging, sometimes as a result of human trafficking (4-7,14)
	Use in the production of pornography, sometimes as a result of human trafficking (4,13)
	Domestic work as a result of human trafficking (3,5,6,15)
	Use in illicit activities, including in petty crime (5-7,13-15)

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

Serbia

SIGNIFICANT ADVANCEMENT

Children from Serbia, particularly those from Roma communities, are trafficked internally to engage in the worst forms of child labor, including commercial sexual exploitation. (5-7,14) Child trafficking victims, especially girls, Roma children, and children from low-income families in rural communities, are most vulnerable to child labor. (1,16)

In 2018, 42 percent of the 1,140 migrant children in Serbia were unaccompanied. (17) Unaccompanied children and those of migrant and asylum-seeking families from Iraq (Kurds and Yazidis) and Afghanistan are vulnerable to trafficking for labor and sexual exploitation, particularly if they are not enrolled in school. (1,4-7,12,13,18-21) Asylum seekers and grantees are allowed to access free primary and secondary education in Serbia. (1,22) In addition, Serbia has social programs to assist migrant children with access to education. (22-25)

In order to increase the registration of children of unregistered parents, a technical working group streamlined the registration procedures for undocumented minorities. (5,26) In November 2018, UNHCR held a conference in Serbia praising the country's overall efforts to eradicate statelessness, noting that the country may do so in the next few years. (27) In 2018, approximately 2,100 people were at risk of statelessness. (28) Some Roma, Ashkali, and Balkan Egyptian children experience challenges in attaining birth registration, which may make school enrollment difficult and increases their vulnerability to engage in child labor. (5,21,26-29,30) Although the government has a program to increase the attendance of Roma children in preschool, and the law allows children to enroll in school without identity documents, economic hardship, ethnic discrimination, language barriers, disabilities, and placement in non-mainstream schools sometimes discourage Romani children from attending school, especially girls. (5,21,26-33,30) In addition, Roma children are more likely to begin school at a later age and drop out of school more frequently than their non-Roma peers do. (5)

Constitutional and legal protections prohibit discrimination in education against individuals with disabilities. (21,34-36) However, some individuals with disabilities, especially Roma children, face difficulties in accessing education due to social prejudices. (21,29,37,38,30)

Children from Serbia are being recruited to participate in military training camps. (39,40) The military training includes teaching them how to use weapons and other basic paramilitary skills. (39-42)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Serbia 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's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 24 of the Labor Law; Article 66 of the Constitution (35,43)
Minimum Age for Hazardous Work	Yes	18	Article 25 of the Labor Law; Article 66 of the Constitution (35,43)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 25, 84, and 87–88 of the Labor Law; Regulation on Hazardous Labor of Children (43,44)
Prohibition of Forced Labor	Yes		Article 390 of the Criminal Code; Article 26 of the Constitution (35,45)
Prohibition of Child Trafficking	Yes		Article 388 of the Criminal Code; Article 26 of the Constitution (35,45)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 112 and 183–185 of the Criminal Code (45)
Prohibition of Using Children in Illicit Activities	Yes		Article 388 of the Criminal Code (45)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 39 of the Law on the Army (46)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 4 of the Law on Military, Labor, and Material Obligation (47)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 4 of the Law on the Ratification of the Optional Protocol Involvement of Children in Armed Conflict (48)
Compulsory Education Age	Yes	15‡	Article 71 of the Constitution; Articles 94 and 98 of the Law on the Foundations of the Education System (35,49)
Free Public Education	Yes		Article 71 of the Constitution; Article 91 of the Law on the Foundations of the Education System (35,49)

* No conscription (47)

‡ Age calculated based on available information (35,48)

In 2018, Parliament adopted the Law on Simplified Hiring of Seasonal Labor in Certain Economic Areas. (5,50) The Law regulates seasonal work, including in agriculture, and specifies that a work contract be required to employ minors. (50) The government also adopted the Law on Foreigners and the Law on Asylum and Temporary Protection, which require an assessment of a minor's protection and safety, and state that victims of human trafficking, including children, should receive special assistance. (6,51,52) In addition, the government passed the Protocol on Additional Educational, Health, and Social Support to Children, Students, and Adults during the reporting period. This Protocol aims to create education that is more inclusive, including the advancement of students in non-segregated environments, and the establishment of local commissions to oversee efforts. (5,53) Moreover, the draft Law on the Rights of the Child and Protection of Child Rights would create an Ombudsman for Children's rights, establish a new agency to oversee the protection of children's rights in government agencies, and would heighten other protections for children. (5,54)

Although the Criminal Code provides heightened penalties for the use of children in illicit activities, Serbia's law does not treat child beggars as victims, but rather as perpetrators and offenders. (5,12,22,45,55,56)

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, Employment, Veteran, and Social Affairs (MOLEVSA) that may hinder adequate enforcement of their child labor laws.

SIGNIFICANT ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment, Veteran, and Social Affairs (MOLEVSA)	Through the labor inspectorate, inspects businesses, including unregistered businesses, receives and investigates child labor complaints, and informs centers for social work of child labor violations. (5,57) Through the Center for Human Trafficking Victims' Protection (CPTV), identifies and rescues victims of child trafficking and those at-risk, conducts needs assessments, and refers victims to social services. Maintains records and contributes to trafficking research projects. (15) CPTV is divided into two parts: the Agency for Coordination of Protection of Trafficking Victims and the new Urgent Reception Center, which opened in early 2019. (1,6,14,21) MOLEVSA has internal teams for the protection of children with disabilities and children working on the street. These teams provide children with homes, food programs, and relocation from harmful family situations. (58)
Ministry of the Interior (MOI)	Oversees the General Police Directorate and enforces laws prohibiting commercial sexual exploitation and human trafficking through the Criminal Police Department. (14,15,59,60) In 2018, increased the number of local police directorates with dedicated anti-trafficking units to 27. (6) Refers child labor violations to Centers for Social Work. (5)
Social Work Centers (SWCs)	Tracks the number of street children and receives child labor violations from MOLEVSA and MOI. (5) In 2018, there were 115 SWCs. (1)
Republic Public Prosecutor's Office	Leads investigations on human trafficking cases and exchanges information through a network of 27 local prosecutors and NGOs. (59) Provides financial support to CPTV. In 2018, the Organized Crime Prosecutor's Office formed the Human Trafficking Task Force, which is a prosecution-led multi-agency team that investigates and prosecutes human trafficking offenses. (6)
Parliamentary Committee on Children	Reviews draft legislation and monitors the implementation of laws pertinent to children's rights. (61)
Deputy Ombudsman for Children's Rights, Office of the Protector of Citizens	Monitors and conducts research on the situation of children's rights in Serbia. Produces reports on child begging, promotes inclusive education and legal prohibition of corporal punishment, and manages draft laws on children's rights for parliamentary approval. (61)

In 2018, the Ministry of Interior (MOI) transferred jurisdiction of human trafficking law enforcement from the Border Police Department to the Criminal Police Department. (5) The move was done to improve human trafficking investigation techniques. (6,21)

Throughout the reporting period, the Center for Human Trafficking Victims' Protection (CPTV) worked with state institutions, international organizations, and NGOs on human trafficking prevention and protection efforts and activities. (21)

According to the MOLEVSA, the Social Welfare Centers (SWCs) are significantly overburdened. (5,26)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Serbia took actions to combat child labor (Table 6). However, gaps exist within the operations of MOLEVSA that may hinder adequate labor law enforcement, including labor inspector training.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$3,472,634 (4)	\$3,483,536 (5)
Number of Labor Inspectors	248 (4)	240 (5)
Inspectorate Authorized to Assess Penalties	Yes (4,62)	Yes (5)
Initial Training for New Labor Inspectors	No (4)	No (5)
Training on New Laws Related to Child Labor	Yes (4)	Yes (5)
Refresher Courses Provided	No (26)	No (5)
Number of Labor Inspections Conducted	53,424† (63)	70,122‡ (63)
Number Conducted at Worksite	44,568† (4)	70,122‡ (63)
Number of Child Labor Violations Found	10 (26)	39 (63)
Number of Child Labor Violations for Which Penalties Were Imposed	2 (4)	15 (63)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (4)	Unknown (5)
Routine Inspections Conducted	Yes (4)	Yes (5)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Routine Inspections Targeted	Yes (4)	Yes (63)
Unannounced Inspections Permitted	Yes (4)	Yes (5)
Unannounced Inspections Conducted	Yes (4)	Yes (5)
Complaint Mechanism Exists	Yes (4)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (5)

† Data are from January 2017 to October 2017.

‡ Data are from January 2018 to December 2018.

Labor inspectors are responsible for inspecting registered and unregistered businesses, including businesses within the agricultural sector. (5) The labor inspectorate has a work plan for inspections that is drafted at the beginning of each year, and targets high-risk sectors in which child labor is known to occur, such as in agriculture and construction. (5,64) In addition, the Special Protocol of Labor Inspection for Protection Children Against Child Labor requires labor inspectors to use a checklist to identify child labor during inspections and mandates that police and labor inspectors inform Social Welfare Centers (SWCs) on cases of child labor. (4,5,65)

During the year, labor inspectors received training on new laws and regulations. The Council of Europe provided training to 66 inspectors, including new labor inspectors, on human trafficking. In addition, the National Administration Academy organized a training on the newly adopted Law on General Administration Procedure. (21,63) However, the newly hired labor inspectors did not receive training on child labor, despite the labor inspectorate's report of sufficient funding. (4,5,58)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Serbia 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 financial resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (4)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (22)	Yes (6)
Refresher Courses Provided	Yes (4)	Yes (63)
Number of Investigations	Unknown (4)	22 (5)
Number of Violations Found	21 (26)	4 (5)
Number of Prosecutions Initiated	Unknown (4)	21 (5)
Number of Convictions	Unknown (4)	19 (5)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	25 (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (5)

Human trafficking training is provided as a part of the general police curriculum given to law enforcement officials who process immigration cases. (63) Continuous training on human trafficking is also provided to 1 public prosecutor in each of the 25 Higher Public Prosecutor's Offices. (5) In 2018, 25 police officers received training on suppressing human trafficking. In addition, 4 prosecutors and 16 police officers attended a train-the-trainer workshop, and additional training was provided to 45 participants on human trafficking within the migrant population. (6) However, sources indicated that agencies responsible for trafficking in persons investigations lack funding. (4,5)

During the reporting period, there were criminal sentences imposed in 25 criminal cases, which included human trafficking, neglecting and abusing a minor, and mediation in prostitution. (5) One case was finalized in a conviction. (5)

Serbia

SIGNIFICANT ADVANCEMENT

The SWCs, the primary provider of social services to human trafficking victims, assist with child trafficking cases. (15) However, NGOs reported that CPTVs lacked specialized care and procedures for child victims. (2,6,15,23) Although criminal law enforcement personnel report that there are far fewer migrants in Serbia than during the peak of the migration crisis, those who remain in the country are at a significantly higher risk for human trafficking, labor, or sexual exploitation, as they continue to linger in a migrant status, often with few resources or options. (63)

In 2018, the government, NGOs, and national shelters implemented the Standard Operating Procedures (SOPs) for immigrant and migrant children. (26,63,66) The SOPs provide guidance on how to identify children at risk of being trafficked, while keeping the child's best interests in mind. (63,66,67)

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 adequate coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Council for Children's Rights	Coordinates government efforts to address child labor by monitoring and evaluating government activities and includes representatives from international organizations and government ministries, such as MOLEVSA. (68) In 2018, met several times and published three draft documents on child protection, including a Strategy for the Prevention and Protection of Children against Violence for the period of 2018 to 2020. (5,69-71)
National Council for Combating Trafficking in Human Beings	Sets government policies on trafficking in persons, chaired by MOI. The National Coordinator for Combating Trafficking in Persons acts as the Secretary of the Council and manages the work of the implementation team. (15) In 2018, the National Coordinator oversaw the re-design of the police directorate. (6)
Refugee Protection Working Group (RPWG)	Serves as the main mechanism for coordinating non-food related services to refugees, including children. Co-chaired by UNHCR and MOLEVSA with the participation of NGOs, local governments, and international organizations. (24) In 2018, RPWG met monthly and had three sub-working groups, including a group on child protection. (21,24)

The position of National Coordinator for Combating Trafficking in Persons continues to experience constraints on time, financial resources, and coordination. (21) The Cabinet of the MOI must provide approval before the National Coordinator can work or meet with non-Serbian government officials or organizations, which may limit the coordination efficiency on child labor. (6,14,21)

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 mainstreaming child labor issues into relevant Roma policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap for Eliminating Abuse of Child Labor in Serbia (2018–2022)†	Creates a roadmap for eliminating the worst forms of child labor. Activities focus on the prevention and elimination of child abuse, support for children working on the streets and vulnerable families, the creation of a system to monitor and record risks of child labor within SWCs, and continuous development for professional workers. (72)
Action Plan for Protection of Children from Violence (2018–2022)†	Provides improved prevention, protection, and support for children against violence. (69,73) Part of the Roadmap for Eliminating Abuse of Child Labor in Serbia. Includes enhanced interventions for the protection of children from violence, including organizational mechanisms. (69)
Strategy for Preventing and Suppressing Human Trafficking and Action Plan (2017–2022)	Creates a legislative framework, budget, benchmarks, and strategic areas in need of improvement to combat trafficking in persons. (4,74) The government has allocated \$76,000 for 2017–2019. (68) Actions to implement the policy in 2018 included completing a draft of the Standard Operating Procedure for Human Trafficking Victims Protection, updating the Action Plan for Preventing and Suppressing Human Trafficking for 2019–2020, and transferring jurisdiction of human trafficking cases from the Border Police to Criminal Police. (5,6)

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
Strategy for the Fight Against High-Tech Crime (2019–2023)†	Promotes cooperation between the private and public sectors and civil society to prevent the sexual exploitation of children on the Internet. (75) Accompanying the Strategy is an Action Plan for the Implementation of the Strategy for Combating High-Tech Crime for the Period of 2019–2020. The Plan outlines the specific activities and their implementation timeframes. (76) Since the adoption of the Strategy, a mobile application was developed and launched to help children and parents with safer Internet practices. Since 2017, a “Fundamentals of Child Safety” program has been in place for grades 4 to 6. (63)
Protocol on Rules and Procedures for the Institutions and Organizations Working with Children Involved in Life and Work on the Streets of Belgrade	Aims to enhance institutional cooperation among MOI, the Criminal Police Directorate, the Communal Police, city SWCs, the City Secretariat for Education, the City Secretariat for Health, and civil society organizations. (77) Defines street children, worst forms of child labor, child work, and child trafficking. (1,77) Stipulates lead institutions, rules, and procedures for interacting with street children. Save the Children is funding the first round of training on the Protocol. (1) In 2018, the city of Belgrade prepared a shelter to house children engaged in street work, which opened in February 2019. (63)
National Strategy for Roma Inclusion (2016–2025)	Seeks to include representatives from Roma communities in policy implementation and aims to improve access to education for Roma population in Serbia, including access to preschool. (78) In addition, the government adopted the Action Plan for the Strategy for Social Inclusion of Roma Men and Women for 2017–2018†, which mandates the inclusion of Roma in education and employment. (22) In 2018, increased primary school enrollment for Roma children. (5)
Anti-Discrimination Strategy and Action Plan (2013–2018)	Prevented discrimination and improved the situation of children and ethnic minorities, including Roma, refugees, internally displaced children, and victims of human trafficking and commercial sexual exploitation, including those used in the production of pornography. (79) In 2018, increased awareness and prosecution in cases of violence against children. (5)
Decree on Dedicated Transfers	Aims to allocate funds to local governments for the development of social services for people with disabilities, including children. (80) In 2018, \$6.7 million was transferred to smaller municipalities to support social services. (5)
Development Partnership Framework (2016–2020)	Government of Serbia and the UN’s strategic planning document for the achievement of the UN’s sustainable development goals, including inclusive education, especially for the most vulnerable, and strengthening social welfare for families. (81) Active in 2018. (4)

† Policy was approved during the reporting period.

Child labor elimination and prevention strategies do not appear to have been integrated in to the National Strategy for Roma Inclusion (2016–2025). (12)

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
USDOL-Funded Programs	Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) is a capacity-building project implemented by ILO in 11 countries to build local and national capacity of governments to address child labor. (82) The Global Research on Child Labor Measurement and Policy Development (MAP) is a 2 year project implemented by ILO that aims to increase the knowledge base on child labor in Serbia. (82,83) Additional information is available on the USDOL website.
Child Allowance Program†	Government cash benefits program for poor families, conditional on school enrollment for children ages 7 and older. (5,61) In 2018, assisted 380,000 families. (5)
Assistance to Roma Children in Education†	Ministry of Education, Science, and Technological Development policy that seeks to improve the school attendance rate of Roma children. (61) Active in 2018 and school attendance rates have improved. (63) Includes the Law on the Foundations of the Education System, which encompasses affirmative action measures to improve participation and performance of Roma children in the education system. (26,63)
Inclusive Early Childhood Education and Care†	A World Bank, Ministry of Finance, and Ministry of Education, Science, and Technological Development project that aims to improve access to early childhood education for socially disadvantaged children. (84) Active in 2018. (63)

SIGNIFICANT ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Strengthening the Identification and Protection of Victims of Trafficking†	An IOM, CPTV, and MOI project that contributes to the implementation of the National Anti-Trafficking Strategy by improving mechanisms for the prevention and identification of victims of human trafficking. (26) In 2018, MOI, MOLEVSA, and the Public Prosecution Office signed a Memorandum on Cooperation in the Field of Suppression of Human Trafficking and the Rights Protection of Human Trafficking Victims. (5,85) The Memorandum defines mutual rights in the identification of human trafficking, assistance and protection of victims, and statistical reporting. (6,85)
Hotline*†	Government-implemented hotline to receive reports of labor violations under the slogan “Say no to black market work.” In 2018, MOLEVSA received 8,998 calls and 249 emails through the hotline, including calls and emails on child labor. (21)

* Program was launched during the reporting period.

† Program is funded by the Government of Serbia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (5,6,86)

Although the Government of Serbia has implemented programs on child labor and inclusive education, research found no evidence that it has carried out programs specifically designed to assist children living and working on the streets, including those involved in child begging.

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 Serbia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law does not treat child beggars as criminals.	2017 – 2018
Enforcement	Ensure that staff members at the CPTVs and SWCs have sufficient resources, such as personnel and funding, to address the specific needs of child trafficking victims.	2015 – 2018
	Train new labor inspectors on child labor, and make information regarding child labor law enforcement publicly available, including the number of child labor penalties imposed that were collected.	2015 – 2018
	Ensure that labor inspectors and criminal investigators have the necessary training, tools, and equipment to conduct thorough investigations and increase funding for agencies combating trafficking in persons.	2010 – 2018
Coordination	Ensure that the National Coordinator for Combatting Trafficking in Persons has sufficient resources to coordinate with the police on investigations, prosecutions, and the protection of trafficking victims.	2015 – 2018
Government Policies	Integrate child labor elimination and prevention strategies into the National Strategy for Roma Inclusion.	2017 – 2018
Social Programs	Address barriers to education, including access to birth registration documentation; increase access to education for children with disabilities; and increase access for minority populations, particularly migrant and Roma children.	2013 – 2018
	Carry out programs that specifically assist children living and working on the streets, including child beggars.	2018

REFERENCES

- 1 U.S. Embassy- Belgrade. Reporting. January 13, 2017.
- 2 U.S. Embassy- Belgrade. Reporting. February 13, 2017.
- 3 U.S. Department of State. Trafficking in Persons Report- 2017: Serbia. Washington, DC. June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/serbia/>
- 4 U.S. Embassy- Belgrade. Reporting. January 8, 2018.
- 5 U.S. Embassy- Belgrade. Reporting. January 28, 2019.
- 6 U.S. Embassy- Belgrade. Reporting. March 1, 2019.
- 7 U.S. Department of State. Trafficking in Persons Report- 2019: Serbia. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report/serbia/>.
- 8 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%) Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 9 UCW. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2014. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 10 Government of Serbia. Labor Force Survey 2016. 2017. <http://www.ilo.org/surveydata/index.php/catalog/1860>.
- 11 Atina official. Interview with USDOL official. April 8, 2014.

SIGNIFICANT ADVANCEMENT

- 12 ILO-IPEC Geneva official. Email communication to USDOL official. April 10, 2018.
- 13 U.S. Embassy- Belgrade. Reporting. January 15, 2016.
- 14 U.S. Embassy- Belgrade. Reporting. February 8, 2018.
- 15 U.S. Embassy- Belgrade. Reporting. February 1, 2016.
- 16 U.S. Department of State. Trafficking in Persons Report- 2018: Serbia. Washington, DC. June 28, 2018.
<https://www.state.gov/reports/2018-trafficking-in-persons-report/serbia/>
- 17 UNICEF. Refugee and Migrant Crisis in Europe: Humanitarian Situation Report #30. UNICEF. December 2018.
[https://www.unicef.org/eca/sites/unicef.org/eca/files/2019-01/UNICEF Refugee and Migrant Crisis in Europe Humanitarian Situation Report No 30 December 2018 .pdf](https://www.unicef.org/eca/sites/unicef.org/eca/files/2019-01/UNICEF%20Refugee%20and%20Migrant%20Crisis%20in%20Europe%20Humanitarian%20Situation%20Report%20No%2030%20December%202018.pdf).
- 18 Batul Hassan. Unknown and exploited: Europe's new arrivals. IRINnews.org. June 29, 2016.
<http://www.irinnews.org/feature/2016/06/29/unknown-and-exploited-europe-s-new-arrivals>.
- 19 Human Rights Watch. Serbia: Police Abusing Migrants, Asylum Seekers. HRW.org. April 15, 2015.
<https://www.hrw.org/news/2015/04/15/serbia-police-abusing-migrants-asylum-seekers>.
- 20 U.S. Embassy- Belgrade. US Embassy Belgrade and J/TIP Team Assess TIP Efforts. November 17, 2017.
- 21 U.S. Embassy- Belgrade official. Email communication to USDOL official. February 14, 2019.
- 22 ILO-IPEC Geneva official. Email communication to USDOL official. October 2017.
- 23 U.S. Embassy- Belgrade official. Email communication to USDOL official. May 31, 2017.
- 24 UNHCR. Serbia: Inter-Agency Operational Update. October 2016. Source on file.
- 25 U.S. Department of State. Country Reports on Human Rights Practices- 2017: Serbia Washington, DC. April 20, 2018.
<https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/serbia/>
- 26 U.S. Embassy- Belgrade official. Email communication to USDOL official. June 12, 2018.
- 27 UNHCR. Serbia may eradicate statelessness within a few years. Belgrade. November 2, 2018.
<http://www.unhcr.rs/en/dokumenti/saopstenja-za-medije/srbija-moze-iskoreniti-apatridiju-u-roku-od-nekoliko-godina.html>.
- 28 UNHCR. Quantitative Snapshot of the UNHCR Serbia 2018 Programme. January 8, 2019.
<https://data2.unhcr.org/en/documents/download/67961>.
- 29 Human Rights Watch. World Report 2017: Serbia. 2017.
https://www.hrw.org/sites/default/files/world_report_download/wr2017-web.pdf.
- 30 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Serbia. Washington, DC. March 13, 2019
<https://www.state.gov/wp-content/uploads/2019/03/SERBIA-2018-HUMAN-RIGHTS-REPORT.pdf>.
- 31 UN Committee on Economic, Social and Cultural Rights. Concluding Observations on the Second Periodic Report of Serbia. Report No. E/C.12/SRB/CO/2. July 10, 2014.
http://www.un.org/en/ga/search/view_doc.asp?symbol=E/C.12/SRB/CO/2.
- 32 UN Committee on the Elimination of Discrimination against Women. Fourth Periodic report submitted by Serbia under article 18 of the Convention, due in 2017. Periodic Reports of States Parties due in 2017: Serbia, Prepared by Government of Serbia, CEDAW/C/SRB/CO/2-3. October 18, 2017.
[http://tbinternet.ohchr.org/Treaties/CEDAW/Shared Documents/SRB/ CEDAW_C_SRB_4_7321_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/SRB/CEDAW_C_SRB_4_7321_E.pdf).
- 33 UN Committee on the Rights of the Child. Committee on the Rights of the Child considers the report of Serbia. January 24, 2017.
<http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=21115&LangID=E>.
- 34 Belgrade Centre for Human Rights. Human Rights in Serbia 2014. 2015.
<http://www.bgcentar.org.rs/bgcentar/eng-lat/wp-content/uploads/2015/03/Human-Rights-in-Serbia-2014.pdf>.
- 35 Government of Serbia. Constitution of the Republic of Serbia. Enacted November 8, 2005.
<http://legislationline.org/documents/action/popup/id/8851/preview>.
- 36 Human Rights Watch. Children with Disabilities in Serbian institutions. HRW.org. June 8, 2016.
<https://www.hrw.org/report/2016/06/08/it-my-dream-leave-place/children-disabilities-serbian-institutions>.
- 37 UN Convention on the Rights of the Child. Committee on the Rights of the Child, Concluding observation on the combined second and third periodic reports of Serbia. March 7, 2017.
http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/SRB/CO/2-3&Lang=en.
- 38 UN Committee on the Rights of Persons with Disabilities. Consideration of Reports Submitted by States Parties Under Article 35 of the Convention: Concluding Observations: Serbia. May 23, 2016: Report No. CRPD/C/SRB/CO/1.
<http://disabilitycouncilinternational.org/documents/ConcObv/15/Serbia.pdf>.
- 39 Radio Free Europe. Russian "military" model for Children from Serbia. April 4, 2018.
<https://www.slobodnaevropa.org/a/deca-obuka-rusija-vojni-srbija-/29142301.html>.
- 40 Radio Free Europe. Youth Patriot Camp 'Zlatibor 2019' Under the Radar. Radio Free Europe. July 25, 2019.
<https://ba.voanews.com/a/omladinsko-patriotski-kamp-zlatibor-2019-ispod-radara-/5014768.html>.
- 41 Maja Zivanovic. Serbian Teens Taught 'Military Patriotism' at Russian Camp. May 9, 2017.
<http://www.balkaninsight.com/en/article/serbian-war-veterans-children-learned-patriotism-in-russian-camp-05-09-2017>.
- 42 Grad Subotica. Children of military veterans are again residing in camps in Russia. September 29, 2017.
<http://www.gradsubotica.co.rs/deca-ratnih-veterana-ponovo-boravila-u-kampu-u-rusiji>.
- 43 Government of Serbia. Labor Law of the Republic of Serbia. Enacted March 15, 2005.
<http://www.elfak.ni.ac.rs/downloads/akta/zakon-o-radu.pdf>.
- 44 Government of Serbia. Regulation on Hazardous Labour of Children. May 29, 2017. Source on file.
- 45 Government of Serbia. Criminal Code of the Republic of Serbia. Enacted February 28, 2006.
<http://legislationline.org/documents/section/criminal-codes>.
- 46 Government of Serbia. Law on the Army. Enacted December 11, 2007.
http://www.vs.rs/content/attachments/zakon_o_vojsci_srbije_sa_izmenama_i_dopunama.pdf.
- 47 Government of Serbia. Law on Military, Labor and Material Obligation. Enacted December 15, 2010.
http://www.paragraf.rs/propisi/zakon_o_vojnoj_radnoj_i_materijalnoj_obavezi.html.
- 48 Government of Serbia. Law on the Ratification of the Optional Protocol Involvement of Children in Armed Conflict, Official Gazette of the FRY - International Treaties, No. 7/2002. Enacted July 2002.
http://www.ljudskaprava.gov.rs/sites/default/files/dokument_file/zakon_o_potvrđivanju_fakultativnog_protokola_u_ucescu_dece_u_oruzanim_sukobima_uz_konvenciju_o_pravima_deteta.pdf.
- 49 Government of Serbia. The Law on the Foundations of the Education System. Enacted 2002.
http://www.seio.gov.rs/upload/documents/ekspertske_misije/protection_of_minorities/the_law_on_education_system.pdf.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY THAT DELAYED ADVANCEMENT

In 2018, Sierra Leone made a minimal advancement in efforts to eliminate the worst forms of child labor. President Bio and Vice President Jalloh together with officials from ministries, departments, and agencies, donated 3 months of their salaries to eliminate school fees for more than 2 million students in primary and secondary education. International donors provided the bulk of funding support to implement the government’s free quality education program. Despite this initiative, Sierra Leone is receiving this assessment because it continued to implement a policy that delayed advancement in eliminating the worst forms of child labor. The government continued to prohibit girls who were pregnant from attending regular public schools or taking secondary and post-secondary school entrance exams during the reporting period, making them more vulnerable to the worst forms of child labor. Children in Sierra Leone engage in the worst forms of child labor, including in the mining sector and in commercial sexual exploitation, each sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture and quarrying. The country has not implemented its national action plan on child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Sierra Leone engage in the worst forms of child labor, including in the mining sector and in commercial sexual exploitation, each sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1-5) Table 1 provides key indicators on children’s work and education in Sierra Leone. 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	51.3 (897,142)
Attending School (%)	5 to 14	67.0
Combining Work and School (%)	7 to 14	43.3
Primary Completion Rate (%)		68.3

Source for primary completion rate: Data from 2017 published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization’s analysis of statistics from the Demographic and Health Survey, 2013. (7)

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 cassava, coffee, cocoa, palm oil, peanuts, and rice (8-11)
	Fishing, including deep-sea fishing,† mending nets, and working on boats in the open sea† (1,5,12)
Industry	Mining† for alluvial diamonds, sand, and gold, including loading gravel in sacks or basins, carrying sacks on their heads, washing, and sieving (1,5,10,13,14)
	Quarrying† and crushing stone, including granite, and transporting gravel (1,5,12,15)
	Construction, activities unknown (1,2,10,14)
	Manufacturing† (2,16)
Services	Scavenging scrap metals and recyclable materials from dumpsites (1,5,17,18)
	Domestic work (1)
	Street work, including begging, trading, and selling goods (1,2,10,12,14,19)
	Portering, including carrying heavy loads† (1)
	Working as apprentices, including in auto-repair shops and on transportation vehicles (<i>poda podu</i>) (1)

Sierra Leone

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY THAT DELAYED ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced begging, sometimes as a result of human trafficking (1,3,20,21)
	Forced domestic work, sometimes as a result of human trafficking (3,20,22)
	Forced stealing (1)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3-5,10,14)
	Forced labor at granite and alluvial diamond mines, sometimes as a result of human trafficking (1,20,21)

† 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.

Sierra Leone is a source, transit, and destination country for children trafficked for forced labor in domestic work, granite and diamond mining, and begging; trafficking for commercial sexual exploitation also occurs. There are reports that children, mostly boys ages 5–17, are forced to mine for diamonds for long hours in hazardous conditions, sometimes without pay. (3,5,10,12,21,23)

Research indicated that the government continued to implement a policy that prohibits pregnant girls from attending regular public schools and taking secondary and post-secondary school entrance exams, which makes them vulnerable to the worst forms of child labor. (1,3,5,10,14,23-30) Furthermore, despite the new government initiative to make education free through secondary school, substantial barriers remain, including a lack of schools and teachers, lack of transportation to schools, and sexual abuse by teachers. (1,10,26-29) In addition, despite legal protections, children with disabilities are less likely to attend school due in part to discrimination and school facilities that are not adequately accessible. (26,27,30) Despite previous reports of denied access to school, children with HIV status are able to attend schools as noted by the National HIV/AIDS Secretariat. (23)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Sierra Leone 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 Sierra Leone’s legal framework to protect children from the worst forms of child labor, including the lack of specific provisions on light work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Section 125 of the Child Right Act; Section 52 of Chapter 212, Employers and Employed Act (31,32)
Minimum Age for Hazardous Work	Yes	18	Section 128 of the Child Right Act; Sections 47–56 of Chapter 212, Employers and Employed Act (31,32)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY THAT DELAYED ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 128 of the Child Right Act; Sections 47–56 of Chapter 212, Employers and Employed Act; Sections 164 and 170 of the Mines and Minerals Act (31-33)
Prohibition of Forced Labor	Yes		Part II, Section 2, and Part IV, Sections 14–15 and 21 of the Anti-Human Trafficking Act; Section 19 of the Constitution of Sierra Leone (34,35)
Prohibition of Child Trafficking	Yes		Part II, Section 2, and Part IV, Sections 14–15 and 21 of the Anti-Human Trafficking Act; Section 60 of the Child Right Act (31,34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 19–34 of the Sexual Offenses Act; Part II, Section 2, of the Anti-Human Trafficking Act (34,36)
Prohibition of Using Children in Illicit Activities	Yes		Sections 7 and 13 of the National Drugs Control Act (37)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 28 of the Child Right Act (31)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15	Section 3 of the Education Act; Section 125 of the Child Right Act (31,38)
Free Public Education	Yes		Section 3 of the Education Act; Section 9 of the Constitution of Sierra Leone; Section 11(c) of the Child Right Act (31,35,38)

* No conscription (37)

Although Sierra Leone’s Child Right Act identifies areas of hazardous work prohibited for children such as portage of heavy loads, going to sea, and work in places in which machines are used, the types of hazardous work identified do not include, among others, street work. There is evidence that street work is conducted in unhealthy environments that may expose children to hazardous substances, agents, or processes; to temperatures; and to noise or vibrations damaging to their health. (1,23,26,31,32,39) Other sectors in which children may be exposed to hazardous conditions in Sierra Leone include agriculture, domestic work, transportation, and dumpsites. (1,23,26,31,32,39)

The Child Right Act sets the minimum age for light work at age 13; however, it is not specific enough to prevent children from involvement in child labor because it does not limit the number of hours per week for light work, determine the activities in which light work may be permitted, or specify the conditions in which light work may be undertaken. (39)

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 Child Welfare Committees that may hinder adequate child labor enforcement.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Formulates, implements, and monitors compliance with child labor regulations through its Child Labor Unit. (5,10,40) MLSS District Labor Officers enforce labor laws in the formal sector. (20) Operates regional offices in Bo, Kenema, Makeni, and an office in the diamond-producing district of Kono. (10)
Ministry of Mines and Mineral Resources	Enforces regulations against the use of child labor in mining. Authorized to suspend licenses of mining operators engaged in child labor. (5,26,32)

Sierra Leone

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY THAT DELAYED ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA)	Serves as the umbrella agency to oversee child protection issues, including child labor. Heads the National Trafficking in Persons Secretariat. (1,5,20)
Sierra Leone Police	Leads the investigation and prosecution of sexual abuse, domestic violence, and child abuse through Family Support Units, which are mandated to minimize and eradicate the incidence of sexual abuse, domestic violence, and child abuse. (5,20,41)
Transnational Organized Crime Unit	Enforces human trafficking laws and provides statistical data and general information on particular cases of human trafficking. (5,42)
Ministry of Local Government and Rural Development	Enforces child labor laws in the informal sector through its district councils. (1,5)
Child Welfare Committees	Promote awareness of children's rights and report child welfare concerns to officials responsible for children's issues. Provide recommendations on the support of village children and address complaints and concerns by village inhabitants. (5,39,41)

The Child Right Act requires the establishment of a Child Welfare Committee in every village, chiefdom, and district; however, research indicates that these committees have been established only in a few parts of the country due to budgetary constraints. (20,24,37,39)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Sierra Leone took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Security that may hinder adequate labor law enforcement, including with labor inspector training.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (14)	Unknown (5)
Number of Labor Inspectors	30 (14)	27 (23)
Inspectorate Authorized to Assess Penalties	Unknown (37)	Yes (5)
Initial Training for New Labor Inspectors	No (14)	Yes (5)
Training on New Laws Related to Child Labor	No (14)	N/A
Refresher Courses Provided	No (14)	No (5)
Number of Labor Inspections Conducted	300 (14)	350 (5)
Number Conducted at Worksite	300 (14)	350 (5)
Number of Child Labor Violations Found	Unknown (37)	0 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (14)	0 (5)
Number of Child Labor Penalties Imposed that Were Collected	N/A (14)	N/A
Routine Inspections Conducted	Yes (14)	Yes (5)
Routine Inspections Targeted	Yes (14)	Yes (5)
Unannounced Inspections Permitted	Yes (14)	Yes (5)
Unannounced Inspections Conducted	Unknown (14)	Yes (5)
Complaint Mechanism Exists	Yes (14)	No (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	No (5)

In the past, the labor inspectorate did not have a dedicated budget; however, research indicates that a provisional budget of \$11,800 is approved for 2019. (5) Sierra Leone employs 8 Occupational Health and Safety Officers, 14 Labor Officers, and 5 Labor Inspectors, all of whom handle labor inspections. (23) The number of labor inspectors is likely insufficient for the size of Sierra Leone's workforce, which includes over 2.9 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in least developed economies, Sierra Leone would employ about 74 inspectors. (43,44) In addition to the insufficient number of inspectors, enforcement of child labor laws remains challenging due to insufficient training and the lack of resources for inspections. (5,14,20) The government has a complaint line for issues related to child

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY THAT DELAYED ADVANCEMENT

protection; however, research was unable to determine its level of operation in 2018. (5) Although, the Ministry of Mines and Mineral Resources can conduct inspections of mines and revoke licenses from license holders who are found to be using child labor, reports indicated that the government did not adequately enforce these laws in the diamond-mining sector because of the limited number of labor inspectors and a lack of funding. (5,14,26,32)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Sierra Leone took actions to combat the worst forms of 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 (14)	Yes (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (14)	N/A
Refresher Courses Provided	No (14)	No (5)
Number of Investigations	Unknown (39)	0 (5)
Number of Violations Found	Unknown (39)	Unknown (5)
Number of Prosecutions Initiated	Unknown (39)	Unknown (5)
Number of Convictions	0 (14)	Unknown (5)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (23)	Unknown (23)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (14)	Yes (5)

Reports indicate that criminal law enforcement in Sierra Leone, particularly efforts to address human trafficking, is hampered by a lack of coordination, limited funding, and a lack of training of law enforcement personnel and the judiciary. (10,14,45) The government does not publicly release information on the number of violations found, prosecutions initiated, or convictions. The government did not provide information on the number of penalties imposed for violations related to the worst forms of child labor. (5,23)

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 named members to the National Commission for Children.

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

Coordinating Body	Role & Description
National Technical Steering Committee on Child Labor (NTCCL)	Develops and coordinates the National Action Plan against the Worst Forms of Child Labor. (13,40,46) Led by MLSS and MSWGCA, and includes representatives from 10 other government agencies, representatives from international organizations, and NGOs. (47) In 2018, the NTCCL coordinated quarterly meetings with stakeholders, such as MSWGCA, the Sierra Leone Congress, the Sierra Leone Employers, the Federation of Education, and the National Commission for Children, on issues related to child labor. (23)
National Trafficking in Persons Task Force	Coordinates the needs and requirements of agencies that provide shelter and services for human trafficking victims, gathers data on reported human trafficking cases, and meets regularly to develop policy and address the issue of child trafficking. (23) In 2018, efforts were hampered due to limited funding for the task force, with an annual budget of \$14,800 to fund anti-trafficking activities. In December 2018, the Task Force trained 25 social workers, who helped to identify 481 potential human trafficking victims, many of whom were returning migrants from Algeria, Libya, Mali, and Niger. (23)
National Commission for Children (NCC)	Coordinates and exchanges information in accordance with the Child Right Act. As part of the NTCCL, advises the government on ways to improve conditions for and the welfare of children. Led by the MLSS and the MSWGCA. (39) In 2018, the NCC undertook awareness-raising activities and developed a handbook on child rights and responsibilities. (23)

Sierra Leone

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY THAT DELAYED ADVANCEMENT

As of 2018, and as required by the Child Right Act, all members of the National Commission for Children have been appointed. (23,37)

V. GOVERNMENT POLICIES ON CHILD LABOR

The Government of Sierra Leone has established policies related to child labor (Table 9). However, gaps exist that hinder efforts to address child labor, including lack of funding for the National Action Plan against the Worst Forms of Child Labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on Human Trafficking (2015–2020)	Includes strategies to address human trafficking through prevention efforts, victim identification, protection and referral of victims to services, training of personnel, and government coordination and monitoring. (3) In 2018, in support of the National Action Plan, the National Trafficking in Persons Task Force convened monthly meetings with government institutions, international organizations, and NGOs. It reviewed the Anti-Human Trafficking Act and continued the process of drafting legislation to combat trafficking in persons, trained government agencies on the victims' referral mechanism, worked with the MLSS to develop and implement the country's Labor Migration Policy, and coordinated with the Vice President's office to implement a nationwide trafficking in persons public awareness program. (23)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (5,14,28,47,48)

Research could not find evidence that the National Action Plan against the Worst Forms of Child Labor is in force, despite its initial drafting in 2014. (5,14)

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 insufficient shelters and safe houses for children who have been withdrawn from street work or forced labor.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Trafficking Shelters†	Government-funded program that refers child trafficking victims to privately run shelters that house child victims of forced labor and human trafficking. (22) In 2018, shelters suffered funding issues that affected their functionality, and assistance to victims was provided primarily with the support of NGOs. (3,4)
UNICEF Country Program (2015–2018)	Three-year program that aims to combat the worst forms of child labor, increase access to basic education, and address children's basic educational needs. (27)

† Program is funded by the Government of Sierra Leone.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (49,50)

With an initial donation of three months salary of President Bio and Vice President Jalloh and various officials from ministries, departments, and agencies, the government started a program to eliminate school fees, in an effort to support free public primary and secondary education for more than two million students. (4,5,28,29,51) Sierra Leone has insufficient and under-funded shelters and safe houses for children who have been withdrawn from working on the streets or in forced labor. (3,16,33,52)

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 Sierra Leone (Table 11).

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY THAT DELAYED ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are protected from hazardous work in sectors that have dangerous conditions and in which child labor is known to occur, including in agriculture, domestic work, transportation, street work, and dumpsites.	2014 – 2018
	Ensure that the law's light work provisions are specific enough to prevent children's involvement in child labor.	2015 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
Enforcement	Ensure that Village Child Welfare Committees are established and operational in all areas.	2014 – 2018
	Publish information on Ministry of Labor and Social Security funding, criminal violations found, prosecutions initiated, convictions achieved, and penalties imposed. Increase the number of labor inspectors to meet the ILO's technical advice.	2011 – 2018
	Enforce laws prohibiting child labor in mining, particularly in the diamond mining sector.	2015 – 2018
	Ensure refresher training for civil and criminal law enforcement officials on child labor and criminal law enforcement, and establish a complaint and reciprocal referral mechanisms for labor law enforcement.	2015 – 2018
	Ensure that the child protection complaint line is operational and accessible in order to identify child labor issues.	2013 – 2018
	Improve coordination between criminal law enforcement agencies to ensure that violations are adequately investigated and prosecuted. Ensure that judicial system personnel have sufficient training and resources to handle child labor and human trafficking cases.	2014 – 2018
	Provide labor law and criminal law enforcement officials with sufficient resources to adequately enforce labor laws throughout the country.	2012 – 2018
Coordination	Ensure the National Trafficking in Persons Task Force is active and has appropriate funding to carry out its mandate.	2018
Government Policies	Permit pregnant girls to take school entrance exams and attend regular public schools.	2015 – 2018
	Adopt a National Action Plan against the Worst Forms of Child Labor.	2014 – 2018
Social Programs	Increase access to education for children by providing transportation, increasing the number of schools, eliminating abuse by teachers, and improving the accessibility of facilities to children with disabilities.	2013 – 2018
	Increase the availability and funding of shelters and safe houses for victims of forced labor and for children removed from street work.	2009 – 2018

REFERENCES

- Government of Sierra Leone. Draft National Action Plan for the Elimination of the Worst Forms of Child Labour 2014–2017. 2014. Source on file.
- ILO, SSL, and Ministry of Labour and Social Security. Report on National Child Labour in Sierra Leone 2011. 2014. Source on file.
- U.S. Department of State. Trafficking in Persons Report- 2018: Sierra Leone. Washington, DC. 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/sierra-leone/>.
- U.S. Embassy- Freetown. Reporting. March 1, 2019.
- U.S. Embassy- Freetown. Reporting. February 20, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 12, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from the Demographic and Health Survey, 2013. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Burke, Cassia. Making Palm Oil in Sierra Leone. Children of the Nations, March 28, 2014. <https://cotni.org/news/sierra-leone/2014/03/28/making-palm-oil-sierra-leone>.
- Chaon, Anne. Ebola-hit Sierra Leone's Late Cocoa Leaves Bitter Taste. Agence France Presse, November 22, 2014. <https://au.finance.yahoo.com/news/ebola-hit-sierra-leones-cocoa-195318535.html>
- U.S. Embassy- Freetown. Reporting. February 8, 2017.
- Sierra Leone Children's Fund official. Interview with USDOL official. December 2, 2016.
- U.S. Embassy- Freetown. Reporting. January 26, 2015.
- U.S. Embassy- Freetown. Reporting. January 23, 2014.
- U.S. Embassy- Freetown. Reporting. February 5, 2018.
- U.S. Embassy- Freetown official. Email communication to USDOL official. February 10, 2015.
- Save the Children. Stolen Childhoods: End of Childhood Report 2017. June 1, 2017. <https://www.savethechildren.org/content/dam/usa/reports/emergency-response/end-of-childhood-report.PDF>.
- Margai, Joseph S. Women and children scavenge in dumpsites to eke a living. Concord Times, January 29, 2016. <http://slconcordtimes.com/women-and-children-scavenge-in-dumpsites-to-eke-a-living/>.
- Drury, Flora. The girls as young as FIVE earning less than £1 a DAY sifting through piles of rotting rubbish on Sierra Leone's 'Bomeh' dumps. Daily Mail, April 21, 2016. <http://www.dailymail.co.uk/news/article-3545678/The-girls-young-FIVE-earning-1-DAY-sifting-piles-rotting-rubbish-Sierra-Leone-s-Bomeh-dumps.html>.

Sierra Leone

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY THAT DELAYED ADVANCEMENT

- 19 Margai, Joseph S. Child labourers not sure about their future. *Concord Times*, February 10, 2016. <http://slconcordtimes.com/child-labourers-not-sure-about-their-future/>.
- 20 U.S. Embassy- Freetown. Reporting. February 12, 2016.
- 21 U.S. Embassy- Freetown. Reporting. February 14, 2017.
- 22 U.S. Embassy- Freetown. Reporting. February 19, 2015.
- 23 U.S. Embassy- Freetown official. Email communication to USDOL official. July 12, 2019.
- 24 U.S. Embassy- Freetown official. Email communication to USDOL official. February 28, 2017.
- 25 U.S. Department of State. Country Reports on Human Rights Practices-2018: Sierra Leone. Washington, DC, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/sierra-leone/>.
- 26 U.S. Department of State. Country Reports on Human Rights Practices-2016: Sierra Leone. Washington, DC, March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/sierra-leone/>.
- 27 UNICEF. Sierra Leone country program document 2015–2018. E/ICEF/2014/P/L.10. 2014. Source on file.
- 28 Government of Sierra Leone. Education Sector Plan 2018–2020. n.d. <https://www.globalpartnership.org/content/education-sector-plan-2018-2020-sierra-leone-0>.
- 29 Okello, Christina. Sierra Leone Makes Schools Free but Scraps University Subsidies. *Radio France Internationale*. August 24, 2018. <https://allafrica.com/stories/201808270419.html>.
- 30 Government of Sierra Leone. Persons with Disability Act. Enacted: 2011. <http://www.sierra-leone.org/Laws/2011-03.pdf>.
- 31 Government of Sierra Leone. The Child Right Act. Enacted: 2007. <http://www.sierra-leone.org/Laws/2007-7p.pdf>.
- 32 Government of Sierra Leone. The Laws of Sierra Leone: Employers and Employed Act (Chapter 212). Enacted: 1960. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/28611/57066/F2005526770/SLE28611.pdf>.
- 33 Government of Sierra Leone. The Mines and Minerals Act, 2009. Enacted: 2010. <http://www.sierra-leone.org/Laws/2009-12.pdf>.
- 34 Government of Sierra Leone. The Anti-Human Trafficking Act. Enacted: 2005. Source on file.
- 35 Government of Sierra Leone. The Constitution of Sierra Leone. Enacted: 1991. <http://www.sierra-leone.org/Laws/constitution1991.pdf>.
- 36 Government of Sierra Leone. The Sexual Offenses Act. Enacted: 2012. Source on file.
- 37 Government of Sierra Leone. National Drugs Control Act. Enacted: 2008. <http://www.sierra-leone.org/Laws/2008-10.pdf>.
- 38 Government of Sierra Leone. The Education Act. Enacted: 2004. <http://www.sierra-leone.org/Laws/2004-2p.pdf>.
- 39 U.S. Embassy- Freetown official. Email communication to USDOL official. May 31, 2018.
- 40 ILO Committee of Experts. Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Sierra Leone (ratification: 2011). Published: 2014. Source on file.
- 41 Risso-Gill, Isabelle, and Leah Finnegan. Children's Ebola Recovery Assessment: Sierra Leone. Save the Children, 2016. <https://www.savethechildren.org/content/dam/global/reports/emergency-humanitarian-response/ebola-rec-sierraleone.pdf>.
- 42 U.S. Embassy- Freetown. Reporting. February 21, 2014.
- 43 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 44 CIA. The World Factbook. Accessed February 8, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 45 U.S. Embassy- Freetown. Reporting. February 3, 2016.
- 46 Blyden, Sylvia Olayinka. Opening Statement on the Presentation of the Combined Third to Fifth Periodic Report of Sierra Leone in Fulfillment of Article 44 of the UN Rights of the Child. September 14, 2016. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT/CRC/STA/SLE/25174&Lang=en.
- 47 U.S. Embassy- Freetown official. Email communication to USDOL official. June 7, 2017.
- 48 Government of Sierra Leone. National Ebola Recovery Strategy for Sierra Leone (2015–2017). March 2015. https://ebolaresponse.un.org/sites/default/files/sierra_leone_-_national_recovery_strategy_2015-2017.pdf.
- 49 World Bank. Sierra Leone Safety Nets Project (P143588). June 16, 2017: Implementation Status & Results Report - Sequence 6. <http://documents.worldbank.org/curated/en/464401497646600608/pdf/ISR-Disclosable-P143588-06-16-2017-1497646591946.pdf>.
- 50 Milton, Betty. Sierra Leone News: EU signs €1.1m with GOAL on child labour, human trafficking. *Awoko Newspaper*, October 18, 2017. <http://awoko.org/2017/10/19/sierra-leone-news-eu-signs-e1-1m-with-goal-on-child-labour-human-trafficking/>.
- 51 Global Education Monitoring Report. Free education for all in Sierra Leone? Can it happen? September 17, 2018. <https://gemreportunesco.wordpress.com/2018/09/17/free-education-for-all-in-sierra-leone-can-it-happen/>.
- 52 World Bank. Revitalizing Education in Sierra Leone. Washington, DC, December 30, 2016: Implementation Status & Results Report. <http://documents.worldbank.org/curated/en/523231483101701166/pdf/ISR-Disclosable-P133070-12-30-2016-1483101691342.pdf>.

In 2018, the Solomon Islands made a minimal advancement in efforts to eliminate the worst forms of child labor. The Anti-Human Trafficking Advisory Committee became an authorized organization to lobby and influence the government on trafficking-related issues, including child trafficking. However, children in the Solomon Islands engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. The minimum age for employment does not meet international standards, and the government has not comprehensively identified the hazardous occupations prohibited for children. In addition, education is not compulsory, which increases children’s vulnerability to child labor exploitation.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Solomon Islands engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-6) Children also perform dangerous tasks in agriculture. Table 1 provides key indicators on children’s work and education in the Solomon Islands. Data on some of these key 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		87.2

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (7)
Data were unavailable from International Labor Organization’s analysis, 2019. (8)

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	Working on plantations, including harvesting palm oil fruits (6,9,11)
	Harvesting sea cucumbers, including diving in deep water (4,6,9,11)
Industry	Alluvial mining† (6,9,11)
	Furniture construction (6,11)
	Construction on roads and buildings, including making bricks (6,9,11)
Services	Domestic work, including working as cooks (4,6,9,11)
	Scavenging for cans and metal in garbage dumpsites, streets, and streams (3,6,9)
	Working in nightclubs, casinos, and motels (4,6,9,11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-6,11-14)
	Use in illicit activities, including in the cultivation and trafficking of drugs (1,3,6,9,11)
	Forced domestic work and forced work as cooks (4,6,11,13,15)

† 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.

In the Solomon Islands, the commercial sexual exploitation of both boys and girls is prevalent near logging camps; near or aboard fishing vessels; and at hotels, casinos, and entertainment establishments. (2,5,6,11-13) Children are exposed to toxic pesticides on palm oil plantations while tending to, harvesting, and collecting palm oil fruits. In addition, children—mainly boys—are exposed to extreme water depths and temperatures while diving for

Solomon Islands

MINIMAL ADVANCEMENT

sea cucumbers. (4, 11) There are no nationally representative data available on the prevalence and nature of child labor in the Solomon Islands. Although the government's Fee Free Basic Education Policy provides free education, additional school fees, uniform and book costs, and transportation limitations make it challenging for some children, particularly girls, to access education. (6, 11, 16, 17)

II. Legal Framework for Child Labor

The Solomon Islands has ratified some 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 the Solomon Islands' legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work and the minimum age for hazardous work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	12	Article 46 of the Labor Act (18)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 47–49 of the Labor Act (18)
Prohibition of Forced Labor	Yes		Article 6 of the Constitution; Articles 251 and 256 of the Penal Code; Part 7 of the Immigration Act (19-21)
Prohibition of Child Trafficking	No		Part 7 of the Immigration Act; Article 145 of the Penal Code (20,21)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 141, 143, and 144 of the Penal Code (21)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No		
Free Public Education	No		

† No standing military (22)

While the Labor Code prohibits all children under age 18 from working at night and regulates work in mines and on ships, the Labor Code does not clearly establish a minimum age for hazardous work or delineate the type of work considered hazardous for all children. In addition, the legal framework does not prohibit dangerous work in scavenging and agricultural activities in which there is evidence of children being exposed to injuries, extreme

temperatures, and chemicals. (11,12,18) The minimum age for work is not in compliance with international standards because the Labor Act permits children as young as 12 to work. (18)

The Penal Code includes heightened penalties if an offense is committed against a child, but has insufficient prohibitions against child trafficking because threats, the use of force, or other forms of coercion are required to be established for the crime of child trafficking. Furthermore, the laws on child commercial sexual exploitation are insufficient as they do not include prohibiting pornographic performances. (21) Although there are no laws that provide free basic education, there is a policy that sufficiently provides for free basic education. (16)

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 Commerce, Industry, Labor and Immigration that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Commerce, Industry, Labor and Immigration	Enforces child labor laws. (23) Through the Immigration Division, leads efforts to combat human trafficking, including the trafficking of children. (24,25)
Royal Solomon Islands Police	Enforces criminal laws against the worst forms of child labor. (15,26) Leads investigations of internal human trafficking cases. (27)
Joint Monitoring and Investigation Team	Monitors and investigates cases of transnational human trafficking, specifically in the logging industry. Comprising representatives from the Immigration Division, the Royal Solomon Islands Police, Customs, and the Forestry Division. (24,28)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in the Solomon Islands took actions to combat child labor (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (6)	Unknown (11)
Number of Labor Inspectors	Unknown (6)	Unknown (11)
Inspectorate Authorized to Assess Penalties	Unknown (6)	Unknown (11)
Initial Training for New Labor Inspectors	Unknown (6)	Unknown (11)
Training on New Laws Related to Child Labor	Unknown (6)	Unknown (11)
Refresher Courses Provided	Unknown (6)	Unknown (11)
Number of Labor Inspections Conducted	Unknown (6)	Unknown (11)
Number Conducted at Worksite	Unknown (6)	Unknown (11)
Number of Child Labor Violations Found	Unknown (6)	Unknown (11)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (6)	Unknown (11)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (6)	Unknown (11)
Routine Inspections Conducted	Unknown (6)	Unknown (11)
Routine Inspections Targeted	Unknown (6)	Unknown (11)
Unannounced Inspections Permitted	Unknown (6)	Unknown (11)
Unannounced Inspections Conducted	Unknown (6)	Unknown (11)
Complaint Mechanism Exists	Unknown (6)	Unknown (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (6)	Unknown (11)

The Government of the Solomon Islands did not respond to requests for information related to its labor law enforcement efforts. Inefficient resources continue to hamper the labor inspectorate's capacity to enforce child labor laws, including a lack of budget transparency and enforcement efforts. (6,11,15,26)

Solomon Islands

MINIMAL ADVANCEMENT

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in the Solomon Islands took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (6)	Unknown (11)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (6)	Unknown (11)
Refresher Courses Provided	Unknown (6)	Unknown (11)
Number of Investigations	Unknown (6)	Unknown (11)
Number of Violations Found	2 (12)	Unknown (11)
Number of Prosecutions Initiated	2 (29)	Unknown (11)
Number of Convictions	Unknown (6)	Unknown (11)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (6)	Unknown (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (24)	Unknown (11)

The Government of the Solomon Islands did not respond to requests for information on its criminal law enforcement efforts related to child labor.

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 efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
Anti-Human Trafficking Advisory Committee (AHTAC)	Coordinates efforts across the government to address human trafficking. (24) Includes the Immigration Division, which acts as secretariat, and representatives from law enforcement agencies and NGOs. An Executive Officer from the Royal Solomon Islands Police Force acts as the Committee Chair. (12,14,27)
National Advisory and Action Committee on Children (NAACC)	Coordinates government and NGOs to address child trafficking and commercial sexual exploitation of children. (6) The committee consists of several ministries, including the Ministry of Women, Youth, Children and Family Affairs; Ministry of Commerce, Industry, Labor and Immigration; and Ministry of Home Affairs. Several NGOs participate, including Save the Children, UNICEF, and the WHO. (12)

In 2018, the Anti-Trafficking Advisory Committee (AHTAC) was in the process of becoming an authorized organization with the ability to lobby and influence the government on human trafficking-related issues—including child trafficking—and the government also began processes to allocate to the AHTAC for the first time a budget of \$2,976, which will provide funding for law enforcement training and public awareness campaigns. The AHTAC also established a working group to accede to and ratify the UN Convention against Transnational Organized Crime, which is expected in 2019. (14) Although the National Advisory and Action Committee on Children was established in 2012, research was unable to determine whether activities took place during the reporting period to address child trafficking and commercial sexual exploitation of children. (12,30)

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 coverage of all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on Human Trafficking and People Smuggling (2015–2020)	Establishes a framework for national anti-human trafficking efforts. (31) Raises awareness about commercial sexual exploitation of children and the services available for vulnerable children. The National Action Plan is funded by NGOs and the Government of the Solomon Islands. (12,14,31) Research was unable to determine whether activities were undertaken to implement the National Action Plan on Human Trafficking and People Smuggling during the reporting period.
Fee Free Basic Education Policy	Subsidizes school fees for grades one through nine to increase access to education. (11,12,16,32) Research was unable to determine whether activities were undertaken to implement the Fee Free Basic Education Policy during the reporting period.
National Education Action Plan (NEAP)	Establishes a timeline within the National Development Strategy 2016–2035 to provide free primary and secondary education to boys and girls by 2020. (33) Research was unable to determine whether activities were undertaken to implement the National Education Action Plan during the reporting period.
United Nations Pacific Strategy (2018–2022)†	A multinational strategic framework, comprising 14 South Pacific nations, created to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (34)

† 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. (35)

Research did not find evidence that the National Action Plan on Human Trafficking and People Smuggling contains policies to eliminate the worst forms of child labor. However, in 2018, partner organizations trained local communities on child protection and preventing commercial sexual exploitation. (14) Child labor prevention and elimination strategies do not appear to be integrated into the Fee Free Basic Education Policy.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

Research found no evidence that the government funded or participated in social programs that include the goal of preventing or eliminating child labor.

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 the Solomon Islands (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict.	2014 – 2018
	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2014 – 2018
	Ratify the Palermo Protocol on Trafficking in Persons.	2014 – 2018
	Raise the minimum age for employment to comply with international standards.	2009 – 2018
	Establish age 18 as the minimum age for hazardous work.	2009 – 2018
	Determine the types of hazardous work prohibited for children, including the types of work for which there is evidence of hazards, such as in scavenging and agriculture.	2009 – 2018
	Establish by law an age up to which education is compulsory that extends to the minimum age for employment.	2009 – 2018
	Ensure that the law criminally prohibits child trafficking, regardless of whether threats, the use of force, or other forms of coercion can be established.	2016 – 2018
	Ensure that the law criminally prohibits using, procuring, and offering a child for pornographic performances.	2016 – 2018
	Ensure that the law criminally prohibits using, procuring, and offering a child for illicit activities, including in the production and trafficking of drugs.	2011 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Establish by law free basic public education.	2018

Solomon Islands

MINIMAL ADVANCEMENT

Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on child labor law enforcement efforts undertaken, including Labor Inspectorate funding, the number of child labor violations found, and the number of child labor penalties imposed.	2009 – 2018
	Publish information on the number criminal law enforcement efforts undertaken, including the number of child labor investigations initiated, the number of child labor penalties imposed, and the number of criminal law enforcement convictions secured.	2009 – 2018
	Allocate sufficient resources to enforce child labor laws, including increasing budget transparency.	2014 – 2018
Coordination	Ensure that the Anti-Human Trafficking Advisory Committee and the National Advisory and Action Committee on Children are fully established, funded, recognized, and allowed to coordinate government efforts to eliminate child labor, including its worst forms.	2010 – 2018
	Publish activities undertaken by the National Advisory and Action Committee on Children to eliminate child trafficking and commercial sexual exploitation of children.	2018
Government Policies	Adopt a policy that addresses all worst forms of child labor, including using children in illicit activities.	2016 – 2018
	Integrate child labor elimination and prevention strategies into the Fee Free Basic Education Policy.	2014 – 2018
	Publish activities undertaken to implement the National Action Plan on Human Trafficking and People Smuggling.	2018
	Publish activities undertaken to implement the Fee Free Basic Education Policy.	2018
	Publish activities undertaken to implement the National Education Action Plan.	2018
Social Programs	Implement and fully fund programs to address and eliminate child labor—especially in the agriculture sector—and the worst forms of child labor.	2018
	Conduct research on child labor in the Solomon Islands to inform policy and program design.	2013 – 2018
	Eliminate barriers to basic education, including by improving access to school transportation and eliminating school-related fees.	2014 – 2018

REFERENCES

- Osifelo, Eddie. Alarming Rate in Child Labour, Trafficking. Solomon Star, November 29, 2014. <http://www.solomonstarnews.com/news/national/5124-alarming-rate-in-child-labour-trafficking>.
- ABC Radio Australia. Parents complicit in Solomon Islands child trafficking: Save The Children. Pacific Beat, ABC News. August 14, 2015. <http://www.abc.net.au/news/2015-08-14/parents-complicit-in-solomon-islands-child/6697104>.
- ILO. Sub-regional Child Labour and Trafficking Forum. April 2015. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/publication/wcms_405960.pdf
- Save the Children. Dynamics of Child Trafficking and Commercial Sexual Exploitation of Children in Solomon Islands. January 30, 2015. Source on file.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Solomon Islands (ratification: 2012) Published: 2016. Accessed November 7, 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3243007:YES.
- U.S. Embassy- Port Moresby. Reporting. January 16, 2018.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Port Moresby. Reporting. December 28, 2014.
- ILO Committee of Experts. Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Solomon Islands (ratification: 1985) Published: 2014. Accessed November 7, 2014. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3149406.
- U.S. Embassy- Port Moresby. Reporting. January 31, 2019.
- U.S. Embassy- Port Moresby. Reporting. February 13, 2018.
- U.S. Department of State. Trafficking in Persons Report- 2018: Solomon Islands. Washington DC. June 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/solomon-islands/>.
- U.S. Embassy- Port Moresby. Reporting. February 20, 2019.
- U.S. Embassy- Port Moresby. Reporting. January 16, 2014.
- U.S. Department of State. Country Reports on Human Rights Practices- 2018: Solomon Islands. Washington, DC. March 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/solomon-islands/>.
- Honiara City Council. School Fees. Website. Accessed March 4, 2019. <https://honiaracitycouncil.com/index.php/education-and-recreation-2/hcc-schools-parents-2/school-fees-2/>.
- Government of Solomon Islands. Labour Act (Chapter 73). Enacted: 1996. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/57397/72674/F1866068114/SLB57397.pdf>.
- Government of Solomon Islands. Constitution. Enacted: 1978. http://www.pacii.org/sb/legis/consol_act/c1978167/.
- Government of Solomon Islands. Immigration Act 2012, No. 3 of 2012. Enacted: March 9, 2012. http://www.pacii.org/sb/legis/num_act/ia2012138/.
- Immigration Act 2012, No. 3 of 2012. Penal Code (Amendment) (Sexual Offences) Bill 2016, amending the Penal Code, No. 1 of 2016. Enacted: 2016. [http://www.parliament.gov.sb/files/committees/bills&legislationcommittee/2016/ Penal__Code_\(Amendment\)_\(Sexual_Offences\)_Bill_2016.pdf](http://www.parliament.gov.sb/files/committees/bills&legislationcommittee/2016/ Penal__Code_(Amendment)_(Sexual_Offences)_Bill_2016.pdf).

- 22 CIA. The World Factbook. Accessed April 20, 2018. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report.
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 23 U.S. Embassy- Port Moresby. Reporting. January 31, 2017.
- 24 U.S. Embassy- Port Moresby. Reporting. January 15, 2016.
- 25 U.S. Embassy- Port Moresby. Reporting. January 21, 2014.
- 26 U.S. Embassy- Port Moresby. Reporting. January 22, 2016.
- 27 U.S. Embassy- Port Moresby. Reporting. February 13, 2017.
- 28 U.S. Department of State. Country Reports on Human Rights Practices- 2017: Solomon Islands. Washington, DC, April 20, 2018.
<https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/solomon-islands/>.
- 29 U.S. Embassy Port Moresby official. Email communication to USDOL official. May 30, 2018.
- 30 UNICEF. Child Protection System Governance Indicators Framework Assessment Summary: Solomon Islands. November 6, 2015.
https://www.unicef.org/pacificislands/151106_UNICEF_Pacific_GIF_Summary_Solomon_Islands.pdf.
- 31 Government of Solomon Islands. Solomon Islands National Action Plan (2015–2020). 2015. Source on file.
- 32 Government of Solomon Islands. Fee Free Basic Education Policy, 2010. Source on file.
- 33 Government of Solomon Islands. National Development Strategy (2016–2035). April 2016. Source on file.
- 34 UN. United Nations Pacific Strategy 2018–2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017.
https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf.
- 35 United Nations Pacific. Solomon Islands: UNDAF Results Matrix 2013–2017. 2013.
http://www.undp.org/content/dam/samoa/docs/UNDP_WS_UNDAF_Summary_Report_2013-17.pdf.
- 36 The Island Sun. Call for Action to End Child Trafficking and Sexual Exploitation of Children in the Solomon Islands. August 15, 2015. Source on file.
- 37 U.S. Embassy Port Moresby official. Email communication to USDOL official. March 15, 2016.
- 38 U.S. Embassy Port Moresby official. Email communication to USDOL official. February 12, 2017.
- 39 European Commission. Protecting children from sexual exploitation and sexual abuse through empowerment and cooperation. Accessed April 20, 2018.
https://ec.europa.eu/europeaid/projects/protecting-children-sexual-exploitation-and-sexual-abuse-through-empowerment-and_en.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICES THAT DELAYED ADVANCEMENT

In 2018, Somalia made a minimal advancement in efforts to eliminate the worst forms of child labor. During the year, the government drafted a National Employment Policy and an updated Labor Code that identify hazardous occupations or activities prohibited by children. Additionally, government forces rescued 32 children who had been kidnapped by al-Shabaab. However, despite these initiatives, Somalia is receiving this assessment because it continued to implement practices that delayed advancement in eliminating the worst forms of child labor. The Somali National Army recruited and used children in armed conflict in violation of its national law during the reporting period. Somalia is also receiving this assessment because it lacks a labor inspectorate and conducted no worksite labor inspections. Children in Somalia engage in the worst forms of child labor, including in armed conflict. Children in Somalia also perform dangerous tasks in street work. In addition, laws do not criminally prohibit child trafficking for labor, commercial sexual exploitation, or the recruitment of children by non-state armed groups.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Somalia engage in the worst forms of child labor, including in armed conflict.(1) Children also perform dangerous tasks in street work. (2) Table 1 provides key indicators on children’s work and education in Somalia. Data on 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 (%)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019. (3)

Source for all other data: International Labor Organization’s analysis of statistics from Multiple Indicator Cluster Survey 4, 2011. (4)

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	Farming, activities unknown (5-7)
	Herding livestock (6)
	Fishing, including cleaning fish (5)
Industry	Construction, including crushing stone (1,5,7)
	Mining and quarrying (5)
Services	Street work, including shining shoes, washing cars, conducting minibuses, vending, and transporting <i>khat</i> (a legal, amphetamine-like stimulant) (2,6-9)
	Working as maids in hotels (6,8)
	Domestic work (2,6,8)
	Voluntarily recruited children used in hostilities by state armed groups (1,6,10)

Somalia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICES THAT DELAYED ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Recruitment of children by non-state armed groups for use in armed conflict and supporting roles, including as cooks, porters, and informants, or to man checkpoints (1,6,7,11)
	Forced labor in domestic work, agriculture, herding livestock, breaking rocks, selling or transporting <i>khat</i> , begging, and construction work, each sometimes as a result of human trafficking (1,6,9)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,12)

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

As of November 2018, there were an estimated 2.6 million IDPs in Somalia. (13) IDPs, including children, are vulnerable to human trafficking for sexual and labor exploitation. Trucks transporting goods to Somalia return to Kenya with girls who are victims of child trafficking for commercial sexual exploitation in brothels in Kenya and destinations outside Kenya. (1) Some Somali children seeking refuge in Kenya to avoid recruitment by the terrorist organization al-Shabaab subsequently become victims of trafficking for labor and commercial sexual exploitation. Research also found that children in Somalia are trafficked to Saudi Arabia and forced to beg on the streets. (1) In addition, children from minority clan populations in Somalia are particularly vulnerable to being engaged in hazardous work, including work that exposes them to furnaces or ovens, or through which they directly engage with armed groups. Children from minority clan households may also be at elevated risk of forced recruitment by military groups at school. (14)

In the first 9 months of 2018, more than 1,800 children were recruited by state and non-state military forces, an increase from 1,500 children during the same period in 2017. (6,15) During the reporting period, a total of approximately 2,300 children were recruited and used in armed conflict in Somalia. (17) Al-Shabaab increased its campaign of forcibly recruiting children as young as age 8 for use in armed conflict, and in 2018 recruited at least 1,865 children. During the reporting period, the group continued the practice of forcing communities to “volunteer” children to join the group in Galgaduud and Middle Shabelle regions. (1,11,16,17) These children planted explosive devices, acted as human shields, conducted assassinations and suicide attacks, gathered intelligence, and provided domestic services. Some girls were also forced into sexual servitude. (1) Research found that the Ahlu Sunnah Wal Jama’a militia, which to date has not yet integrated into the Somali National Army (SNA), recruited at least 14 children during the reporting period. Somalia’s numerous clan militias also used child soldiers. (6,17) During the reporting period, the SNA recruited more than 150 children for use in armed conflict, even though General Order No. 1 prohibits military personnel from recruiting and employing child soldiers. (1,17,18) In January 2018, 36 children were rescued from al-Shabaab captivity in Middle Shabelle and transferred to a UNICEF-supported rehabilitation center in Mogadishu. (6)

The protracted violence in Somalia has reduced access to all basic services, including public education. (19,20) Across Somalia, only 3 out of 10 children have access to school. (6) In 2018, al-Shabaab attacked over 60 schools and abducted teachers who refused to implement the group’s teachings in class lessons. (17,19) Attacks on schools by al-Shabaab, SNA, and other armed groups have resulted in the forced recruitment of children, state and non-state military occupancy of schools, and damaged educational facilities. (20,21) In 2018, the Somali government made efforts to increase access to free public education by taking back 24 government schools that had been operated by private entities, which often charge prohibitively expensive school fees. (6)

Al-Shabaab occupied rural areas in south-central Somalia. The Federal Government of Somalia (FGS) had limited control outside its capital city, Mogadishu. In other parts of the country, essential governance functions were provided by regional administrations, including the self-declared independent region of Somaliland in the northwest and the federal member state of Puntland in the northeast. (1,22)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Somalia has ratified some key international conventions concerning child labor (Table 3).

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICES THAT DELAYED ADVANCEMENT

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	

Although Somalia has ratified ILO Convention 182 on the Worst Forms of Child Labor, the government has never fulfilled the reporting requirements mandated under this convention. (7)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Somalia's legal framework to adequately protect children from child labor, including the lack of a prohibition of recruitment of children under age 18 by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 93 of the Labor Code; Article 38(1) of the Private Sector Employees Law (23,24)
Minimum Age for Hazardous Work	Yes	18	Article 90 of the Labor Code; Article 38(2) of the Private Sector Employees Law; Article 29 of the Provisional Constitution (23-25)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 90 and 94 of the Labor Code; Articles 10 and 38(4) of the Private Sector Employees Law (23,24)
Prohibition of Forced Labor	Yes		Articles 455 and 464 of the Penal Code (26)
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 403–404 and 407–408 of the Penal Code (26)
Prohibition of Using Children in Illicit Activities	No		
Prohibition of Military Recruitment			
Minimum Age for Voluntary State Military Recruitment	Yes	18	General Order No. I (18)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		General Order No. I (18)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No	14‡	Articles 13 and 15 of the General Education Law (27)
Free Public Education	Yes		Article 14 of the General Education Law (27)

‡ Age calculated based on available information (27)

In 2018, the Ministry of Labor and Social Affairs began drafting a National Labor Code. (28,29) The government also drafted the Child Rights Bill, which will domesticate into law the Convention on the Rights of the Child. (17) The gap between the end of compulsory education and the minimum age for work leaves children age 14 vulnerable to child labor because they are not in school, but they also may not legally work. (8,27) In September 2017, Somaliland drafted a human trafficking law that is currently under review. (30) In November 2017, Puntland State passed new penal and criminal procedure codes that criminalize human trafficking. According to international stakeholders, the legislation meets international standards. (30) In addition, in April 2018, Somaliland passed a bill that criminalizes trafficking for sexual slavery. (31)

Somalia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICES THAT DELAYED ADVANCEMENT

It is unclear whether laws issued prior to 1991 are still in effect in Somalia. However, in 2014, Parliament issued a public statement citing some pre-1991 laws, which suggests that the FGS continued to recognize relevant historic laws. (32) The Provisional Constitution does not provide a minimum age for employment. However, the pre-1991 Labor Code establishes age 15 as the minimum age for work. (23) Although the Labor Code establishes age 12 as the minimum age for light work and describes the conditions under which light work may be undertaken, it neither determines the activities in which light work may be permitted nor prescribes the number of hours per week for light work. The Labor Code allows the government to prescribe the types of work that are prohibited to children under age 18; however, legislation that comprehensively prohibits hazardous occupations and activities for children does not appear to exist. (23)

Laws related to the commercial sexual exploitation of children are not sufficient, because using, procuring, and offering a child for prostitution, pornography, and pornographic performances are not criminally prohibited. (26) The Penal Code requires extensive updating. Many fines in the Code equal less than \$1, which does not serve as an effective deterrent. (26,33) Furthermore, it appears that under Article 405, children involved in prostitution would not be protected from criminal charges. (26)

The Juvenile Justice Law of Puntland defines a child as anyone age 14 and under; consequently, the government detained and issued prison sentences, including life imprisonment, to children over age 14 for their association with armed groups. (11,34)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government does not have a labor inspectorate for the enforcement of laws and regulations related to child labor (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Somali National Police	Investigates and enforces laws related to the worst forms of child labor. (35) The Counter-Trafficking and Organized Crime Unit has six officers. (28)
Ministry of Defense	Screens Somali National Army (SNA) units for child soldiers through the Child Protection Union. (6)
Puntland Security Forces	Investigate and enforce human trafficking laws. (36)
Puntland Ministry of Justice	Prosecutes human trafficking cases. (36)
Somaliland Police	Investigates human trafficking. (37)
Somaliland's Attorney General's Office	Prosecutes human trafficking cases. (37)

During the reporting period, the UN Assistance Mission in Somalia (UNSOM) conducted 3 training sessions on child rights and protections to approximately 125 soldiers and 40 officers of the SNA, including child protection focal points from various regions of the country. (6) In April 2018, the Child Protection Union (CPU) partnered with UNSOM and UNICEF to conduct community outreach, awareness training, and “youth-in-service” screening missions in all five SNA sectors. (6) Throughout the year, the CPU developed and disseminated radio and print media content regarding the prevention of child recruitment and conscription in armed conflict. (6)

Labor Law Enforcement

In 2018, the lack of a labor inspectorate in Somalia may impede the enforcement of child labor laws. (8)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Somalia took actions to combat child labor (Table 6). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including human and financial resources.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICES THAT DELAYED ADVANCEMENT

Table 6. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	No (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	0 (6)
Refresher Courses Provided	Yes (38)	0 (6)
Number of Investigations	Unknown	0 (8)
Number of Violations Found	Unknown	0 (6)
Number of Prosecutions Initiated	Unknown	0 (6)
Number of Convictions	Unknown	0 (6)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	No (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (34)	No (6)

In January 2018, government security forces rescued more than 30 children as young as age 9 from a school in the Middle Shabelle region who had been kidnapped by al-Shabaab and were being trained as soldiers. The children were transferred to a UNICEF-sponsored rehabilitation center. (6,17,39) In August 2018, the President of Puntland signed a decree pardoning 34 children who had been imprisoned since 2016 for their association with al-Shabaab. In November 2018, the children were transferred to a rehabilitation center in Mogadishu to await reunion with their families. (17,40)

Between August and September 2018, UNODC conducted two human trafficking training courses, one in Garowe and one in Mogadishu, that trained 50 people. In October 2018, UNODC conducted human trafficking awareness trainings for 42 members of the Maritime Policing Unit. (41) However, the Somali National Police remained understaffed and undertrained, and lacked the capacity to investigate or enforce laws on the worst forms of child labor. (6) In addition, there were reports that in 2018 the Somali National Police recruited and used at least 93 children in police activities. (17)

The SNA issued a general staff order in 2016 stating that children under age 18 may not enlist; however, despite reports of continued recruitment and use of children, research found no information that the FGS investigated or prosecuted SNA officials who recruited or used child soldiers during the reporting period. (21) During the reporting period, at least 375 children were detained, at times in the company of adults, by the SNA or police for alleged association with non-state armed groups. (10,11,17) Children who are detained under suspected affiliation with non-state armed groups were sometimes interrogated without legal representation and coerced into signing or recording confessions. Moreover, these children were at times threatened or physically harmed in ways that amount to torture. (11) In addition, although the Provisional Constitution defines a child as anyone under age 18, more than 30 children were given sentences ranging from 8 years to life imprisonment for association with al-Shabaab. (11,25) Research found that the existing referral mechanisms for victims of child labor address children in armed conflict only. (34)

IV. Coordination of Government Efforts on Child Labor

The FGS has established mechanisms to coordinate its efforts to address child labor (Table 7). However, gaps exist that hinder the adequate coordination of efforts to address child labor, including in efforts to address all forms of child labor.

Table 7. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Child Protection Unit	Raises awareness of child soldier issues and works with UNICEF to implement standard operating procedures on protecting children associated with armed conflict. (5,42,43) In January and February 2018, in conjunction with the UN, supported the biometric registration of 2,037 elements of the Puntland forces under control of SNA and identified 17 children in the process. All children were withdrawn from the Puntland forces and either reunited with their families or placed in temporary residential care. (17)

Somalia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICES THAT DELAYED ADVANCEMENT

Table 7. Key Mechanisms to Coordinate Government Efforts on Child Labor (Cont.)

Coordinating Body	Role & Description
Children Associated With Armed Conflict Working Group	Implements the Child Soldier Action Plan and the Action Plan to End the Killing and Maiming of Children in Contravention of International Law. (42,43) Comprises the Child Protection Unit, Ministry of Defense officials, representatives from the Ministry of Women and Human Rights Development and other ministries, and UN representatives. (10,42) No coordination activities were conducted during the reporting period. (37)
Human Trafficking Task Forces	The Human Trafficking and Smuggling Task Force, led by the Ministry of Interior and Federal Affairs, leads FGS anti-trafficking efforts. (44) Puntland’s Counter Trafficking Board leads the region’s anti-trafficking efforts. Somaliland’s Counter Human Trafficking Agency coordinates the development of legislation and collection of data. (44) No coordination activities were conducted during the reporting period. (37)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 8). However, policy gaps exist that hinder efforts to address child labor, including limited scope of existing policies.

Table 8. Key Policies Related to Child Labor

Policy	Description
Child Soldier Action Plan	Establishes a strategy for the reception and stabilization of children found in SNA, and for the prevention of child soldiers through education of soldiers and monitoring of military camps. (42) Research was unable to determine whether activities were undertaken to implement the Child Soldier Action Plan during the reporting period.
National Development Plan (2017–2019)	Aims to end all forms of violence against children, including child labor, and develop and implement a National Child Labor Policy. (45) Research was unable to determine whether activities were undertaken to implement the National Development Plan during the reporting period.
United Nations Strategic Framework (2017–2020)	Establishes a broad framework for preventing, eliminating, and rehabilitating children associated with armed conflict. (46) Research was unable to determine whether activities were undertaken to implement the UN Strategic Framework during the reporting period.

‡ The government has other policies which may have addressed child labor issues or had an impact on child labor. (47)

In 2018, the FGS released the Education Sector Strategic Plan 2018–2020, which aims to increase school enrollment and address safety in schools through training and community engagement. (48) During the reporting period, the Ministry of Labor, in consultation with the ILO, conducted a macroeconomic analysis of the labor market in Somalia and used the data gathered to draft a National Employment Policy. The draft policy is currently under cabinet review before being moved forward to Parliament for approval. (6,28,29) Although the government has some policies that address child soldiers, research found no evidence of any policies to address child labor in agriculture, industry, street work, or domestic work.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the FGS participated in programs that include the goal of eliminating child labor (Table 9). However, gaps exist in these social programs, including the adequacy to address the problem in all sectors.

Table 9. Key Social Programs to Address Child Labor

Program	Description
National Program for Treatment and Handling of Disengaged Combatants	FGS program in coordination with UNICEF that rehabilitates former combatants, emphasizing the specific needs of child combatants, and of female combatants and their dependents. (48) Centers, located in Baidoa, Belet Weyne, Kismayo, and Mogadishu, provide accommodation, psychological counseling, education, and vocational training to former combatants. (49) Research was unable to determine whether activities were undertaken to implement the National Program for Treatment and Handling of Disengaged Combatants during the reporting period.
Joint Program on Youth Employment Somalia (YES)	Joint program by the Food and Agriculture Organization, ILO, UNDP, UN-Habitat, and UN Industrial Development Organization that seeks to improve sustainable employment opportunities for youth and develop their skills to respond to needs in the labor market. (50) In 2018, organized an inter-ministerial steering committee chaired by the Ministry of Labor and Social Affairs to lead the process of developing a National Employment Strategy that will be released in 2019. In addition, the program also supported coordination efforts between the Ministry of Labor and the Ministry of Planning to conduct a Labor Force Survey. (28,29,51)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICES THAT DELAYED ADVANCEMENT

Table 9. Key Social Programs to Address Child Labor (Cont.)

Program	Description
UNICEF Country Program (2018–2020)	\$267 million donor-funded program in coordination with the FGS that aims to ensure safe, equitable, and quality education for children and support an enabling environment to strengthen child protection frameworks. (52) In 2018, assisted 1,179 children formerly associated with armed groups through reintegration programs that included reunification with families and access to formal education as well as vocational training opportunities. (17)
Efforts to Combat Human Trafficking (2014–2017)	Strengthening the National Criminal Justice Response to Trafficking in Persons is a \$750,000 USDOS-funded, 3-year project implemented by UNODC to enhance the criminal justice response to trafficking in persons in FGS and Somaliland. Aims to strengthen legal frameworks to meet international standards, and develop and provide training on identifying victims, conducting investigations, and prosecuting cases. (53,54) In March 2018, the project organized a 3-day training workshop in Mogadishu for 5 judicial officers and 10 prosecutors with the goal of building the capacity of prosecutors to adequately prosecute trafficking in persons cases. The project ended in September 2018. (54)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (55)

In Somaliland, the government operates the Hargeisa Orphanage Center, which provides basic services to child victims of trafficking before they are reunited with their families. (41) During the reporting period, in Somaliland, vulnerable children, including trafficking victims, received social services at the Hargeisa Orphanage Center before being reunited with their families. Additionally, in 2018 Puntland authorities worked with IOM and local NGOs to provide social services and reintegration assistance to victims of human trafficking. (41) Although the FGS implemented programs to address child soldiers and child trafficking, existing programs fail to address the scope of the problem.

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 Somalia (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict; the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography; and the Palermo Protocol on Trafficking in Persons.	2013 – 2018
	Clarify whether the pre-1991 Labor Code is still in effect under the Federal Government of Somalia.	2009 – 2018
	Ensure that a legal framework on child labor is in place that includes a minimum age for work and hazardous work; determines the activities in which light work may be permitted and prescribes the number of hours per week for light work; and, in consultation with employers' and workers' organizations, determines the types of hazardous work prohibited for children.	
	Criminally prohibit child trafficking for labor and sexual exploitation.	2009 – 2018
	Fulfill reporting requirements as required under ILO C. 182.	2018
	Criminally prohibit using, procuring, and offering a child for prostitution, pornography, and pornographic performances.	2015 – 2018
	Update the Penal Code to ensure that penalties for the commercial sexual exploitation of children are sufficiently stringent to deter violations.	2013 – 2018
	Ensure that the law protects children involved in commercial sexual exploitation from criminal charges.	2011 – 2018
	Criminally prohibit the use of children in illicit activities.	2009 – 2018
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
Raise the compulsory education to be commensurate with the minimum age for work.	2009 – 2018	
Ensure that Puntland's regional laws define a child as anyone under age 18, in accordance with international standards.	2016 – 2018	

Somalia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICES THAT DELAYED ADVANCEMENT

Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Establish a labor inspectorate to investigate, monitor, and enforce laws related to child labor, and include adequate funding, human resources, and training for personnel.	2009 – 2018
	Publish information on the training of investigators, as well as the number of investigations conducted, violations found, prosecutions initiated, and convictions achieved in all regions of Somalia.	2016 – 2018
	Ensure that criminal law enforcement officials receive sufficient training and resources to investigate, prosecute, and convict violators of the worst forms of child labor.	2012 – 2018
	Cease the recruitment and use of child soldiers by the Somali National Army and its allied militia. Investigate, prosecute, and punish, as appropriate, Somali National Army commanders who recruit and use children.	2015 – 2018
	Ensure that children associated with armed groups are not detained with adults and refer these children to social service providers. Cease the practice of sentencing children to life imprisonment for associating with armed groups.	2015 – 2018
	Establish a referral mechanism between the Somali National Police and social welfare services for children engaged in forced labor and commercial sexual exploitation.	2014 – 2018
Coordination	Establish coordinating mechanisms to combat all forms of child labor.	2009 – 2018
	Ensure that coordination mechanisms to address the worst forms of child labor, such as child soldiering, are active, and conduct activities to address the child labor problem.	2017 – 2018
	Adopt policies to address child labor in agriculture, industry, street work, and domestic work.	2018
Social Programs	Enhance efforts to eliminate barriers and make education accessible and safe for all children by removing all armed groups and forces from schools and other educational facilities.	2013 – 2018
	Develop programs to address child labor, such as in street work and forced labor in agriculture. Expand existing programs to address the scope of children in armed conflict.	2009 – 2018

REFERENCES

- U.S. Department of State. Trafficking in Persons Report- 2017: Somalia. Washington, DC: June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/somalia/>.
- UN Human Rights Council. Report of the Independent Expert on the situation of human rights in Somalia. Geneva: September 15, 2016: A/HRC/33/64. http://ohchr.org/EN/HRBodies/HRC/RegularSessions/Session33/Documents/A_HRC_33_64_en.docx.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4, 2011. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Nairobi. Reporting. January 13, 2015.
- U.S. Mission- Somalia. Reporting. January 25, 2019.
- ILO Committee of Experts. Individual Direct Request Concerning Worst Forms of Child Labour Convention, (No. 182) Somalia (ratification: 2014) Publication: 2018. Accessed April 16, 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963529:NO.
- U.S. Mission- Somalia. Reporting. February 6, 2018.
- Federation of Somali Trade Unions (FESTU). Somalia Human and Trade Union Rights Report: January-December 2016. 2017. <http://www.festu.org/festu/wp-content/uploads/2017/02/FESTU-HTUR-Report-2017.pdf>.
- UN Security Council. Children and armed conflict: Report of the Secretary-General. May 16, 2018. https://www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/a_72_865_s_2018_465.pdf.
- Human Rights Watch. “It’s Like We’re Always in a Prison”: Abuses Against Boys Accused of National Security Offenses in Somalia February 2018 https://www.hrw.org/sites/default/files/report_pdf/somalia0218_web.pdf.
- Human Rights Watch. The Power These Men Have Over Us. September 8, 2014. <https://www.hrw.org/report/2014/09/08/power-these-men-have-over-us/sexual-exploitation-and-abuse-african-union-forces>.
- UNHCR. Somalia Fact Sheet 1-30 November 2018. 2018. <https://reliefweb.int/sites/reliefweb.int/files/resources/67182.pdf>.
- USAID. Joint Multi-Cluster Needs Assessment. September 2018. https://reliefweb.int/sites/reliefweb.int/files/resources/reach_som_initial_findings_report_joint_multi_cluster_needs_assessment_2018.pdf.
- UNICEF. World has failed to protect children in conflict in 2018. December 27, 2018. <https://www.unicef.org/press-releases/world-has-failed-protect-children-conflict-2018-unicef>.
- Human Rights Watch. Somalia: Al-Shabab Demanding Children. January 14, 2018. <https://www.hrw.org/news/2018/01/14/somalia-al-shabab-demanding-children>.
- UN Security Council. Report of the Secretary-General on Children and armed conflict. June 20, 2019: Report No. S/2019/509. https://www.un.org/ga/search/view_doc.asp?symbol=S/2019/509&Lang=E&Area=UNDOC.
- Federal Government of Somalia. General Order – 1. Enacted: July 22, 2011. Source on file.
- UNICEF. Situation Analysis of Children in Somalia. 2016. https://www.unicef.org/somalia/SOM_resources_situationalanalysissummary.pdf.
- Somalia Federal Republic, Ministry of Human Development and Public Services. Go-2-School Initiative 2013–2016. https://www.unicef.org/somalia/SOM_resources_gotoschool.pdf.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICES THAT DELAYED ADVANCEMENT

- 21 UN Security Council. Report of the Secretary-General on children and armed conflict in Somalia. December 22, 2016: S/2016/1098. http://www.un.org/ga/search/view_doc.asp?symbol=S/2016/1098&Lang=E&Area=UNDOC.
- 22 U.S. Department of State. Country Reports on Human Rights- 2016: Somalia. Washington, DC: March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/somalia/>.
- 23 Government of Somalia. Law No. 65 to Promulgate the Labour Code. Enacted: October 18, 1972. https://www.ilo.org/dyn/natlex/natlex4.detail?p_isn=16530.
- 24 Republic of Somaliland. Private Sector Employees Law. Enacted: 2004. http://www.somalilandlaw.com/Xeerka_Shaqaalaha_Rayidka_2010Final.pdf.
- 25 The Federal Republic of Somalia. Provisional Constitution. Enacted: August 1, 2012. <http://hrlibrary.umn.edu/research/Somalia-Constitution2012.pdf>.
- 26 Government of Somalia. Penal Code, Legislative Decree No. 5 of 16. Enacted: December 1962. http://www.somalilandlaw.com/Penal_Code_English.pdf.
- 27 Federal Government of Somalia. General Education Law. Enacted: July 30, 2017. Source on file.
- 28 U.S. Mission- Somalia official. Email communication to USDOL official. March 27, 2019.
- 29 ILO Mogadishu officials. Phone interview with USDOL official. April 9, 2019. Source on file.
- 30 U.S. Mission- Somalia. Reporting. March 23, 2018.
- 31 Bhalla, Nita. Somaliland elders approve 'historic' law criminalising rape. Reuters. April 9, 2018. <https://www.reuters.com/article/us-somalia-women-rape/somaliland-elders-approve-historic-law-criminalising-rape-idUSKBN1HG2PR>.
- 32 U.S. Embassy- Nairobi official. Email communication to USDOL official. March 29, 2014.
- 33 U.S. Mission- Somalia. Reporting. January 14, 2016.
- 34 UN Security Council. Report of the Secretary-General on Somalia. May 9, 2017. http://www.un.org/ga/search/view_doc.asp?symbol=S/2017/408.
- 35 U.S. Mission- Somalia. Reporting. February 14, 2017.
- 36 U.S. Mission- Somalia. Email communication to USDOL official. June 6, 2017.
- 37 U.S. Mission- Somalia. Reporting. June 8, 2018.
- 38 AMISOM-African Union Mission in Somalia. AU Mission in Somalia seeks an end to the use of child soldiers in armed conflict. February 7, 2017. <http://amisom-au.org/2017/02/au-mission-in-somalia-seeks-an-end-to-the-use-of-child-soldiers-in-armed-conflict/>.
- 39 Osman, Abdulaziz. 32 Children Rescued from al-Shabab. Voice of Africa. January 19, 2018. <https://www.voanews.com/a/thirty-two-children-rescued-al-shabab/4215252.html>.
- 40 United Nations Security Council. Report of the Secretary-General on Somalia. December 21, 2018. https://reliefweb.int/sites/reliefweb.int/files/resources/Report_of_the_Secretary-General_on_Somalia-21dec2018.pdf.
- 41 U.S. Mission- Somalia. Reporting. April 18, 2019.
- 42 U.S. Embassy- Nairobi. Reporting. February 17, 2015.
- 43 U.S. Embassy- Nairobi official. Email communication to USDOL official. April 10, 2015.
- 44 U.S. Mission- Somalia. Reporting. February 21, 2017.
- 45 Government of Somalia. National Development Plan 2017-2019. December 2016. <http://mop.gov.so/wp-content/uploads/2018/04/NDP-2017-2019-1.pdf>.
- 46 Government of Somalia. UN Strategic Framework Somalia 2017-2020. September 2017. [http://www.undp.org/content/dam/undp/library/corporate/Executive_Board/2018/First-regular-session/DPDCPSOM3_UN_Strategic_Framework_\(2017-2020\).pdf](http://www.undp.org/content/dam/undp/library/corporate/Executive_Board/2018/First-regular-session/DPDCPSOM3_UN_Strategic_Framework_(2017-2020).pdf).
- 47 Federal Government of Somalia, Ministry of Human Rights and Women Development. National Action Plan for Ending Sexual Violence in Conflict. 2013. Source on file.
- 48 UN Human Rights Council. Report of the Working Group of the Universal Periodic Review. April 13, 2016: A/HRC/32/12. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/075/96/PDF/G1607596.pdf?OpenElement>.
- 49 Xinhua. Somalia starts building rehab center for former Al-Shabaab fighters. June 14, 2016. <http://english.sina.com/news/2016-06-14/doc-ifszfak3848574.shtml>.
- 50 UN.YES Joint Programme Expanding to Support Youth in Puntland and Somaliland. September 11, 2017. <https://www.uninsomalia.org/pros-cal-success-story-1/2017/9/11/latest-achievements-of-the-youth-employment-somalia-joint-programme>.
- 51 Osman, Said. Programme Annual Progress Report: Period 2018. Somalia UN MPTF. February 2019. Source on file.
- 52 UNICEF. Country programme document 2018-2020. July 18, 2017. https://www.unicef.org/about/execboard/files/2016-12-Extensions_decision-SRS2016.pdf.
- 53 U.S. Department of State. Reporting. October 8, 2014.
- 54 U.S. Department of State official. Email correspondence to USDOL official. June 11, 2019.
- 55 USAID. Alternative Basic Education for Pastoralists (ABE). 2017. <https://www.usaid.gov/somalia/fact-sheets/somalia-alternative-basic-education-pastoralists-abe>.

In 2018, South Africa made a minimal advancement in efforts to eliminate the worst forms of child labor. The President endorsed and disseminated the amended Children’s Act to prohibit persons convicted of child trafficking from working with children. The government also approved the National Policy Framework on Trafficking, which includes provisions on trafficking of minors. However, children in South Africa engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging, sometimes the result of human trafficking. Labor inspectors are not authorized to assess penalties, and social programs are not sufficient to address the scope of child labor. In addition, barriers to education remain, especially among children without proper identification documents and children with disabilities.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in South Africa engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging, sometimes the result of human trafficking. (1,2) Data on key indicators on children’s work and education 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	Unavailable
Attending School (%)	7 to 15	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		81.67

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (3)
Data were unavailable from International Labor Organization’s analysis, 2019. (4)

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	Farming, including harvesting corn (5-7)
Services	Domestic work (5,8)
	Garbage scavenging for food items and recyclable items† (9)
	Food service, activities unknown (2)
	Street work, including transportation services, vending, and begging (2,5)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including gang-related activity (10-12)
	Use in the production of pornography (13-17)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,17-25)
	Forced labor in domestic work, agriculture, food service, street vending, illicit activities, and begging, each sometimes as a result of human trafficking (2,26)

† 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.

South Africa is a source, transit, and destination country for child trafficking. Children are trafficked from poor rural areas or peripheral townships to urban centers, such as Cape Town, Durban, and Johannesburg. (2,27) Girls are mainly victimized for commercial sexual exploitation and domestic work, and boys are forced to work in street vending, food service, and begging. (2,18,28-30) Refugees, orphans, and children with disabilities are often vulnerable to child labor, such as forced begging. (10,31)

South Africa

MINIMAL ADVANCEMENT

In South Africa, parents at a given school may vote to pass a resolution authorizing the collection of school fees during a given year. (32) The government waives tuition for the poorest 60 percent of students, but in practice, some families must still pay for uniforms and other school-related expenses, which may affect children's access to education. (33,34) In addition, South Africa's policy of requiring that students present identification to take final exams effectively denies education to children, particularly refugees, who lack a birth certificate with information about both parents, lack adequate identification documents, or are unable to provide proof of immunization. (34-36)

An estimated half a million children with disabilities do not have access to education in South Africa. (37,38) Many mainstream schools are not equipped to educate children with disabilities, and as a result, schools have referred children to specialized schools, required families to pay for a class assistant, or denied enrollment. (38,39)

II. LEGAL FRAMEWORK FOR CHILD LABOR

South Africa 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 South Africa's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of the use of children by non-state armed groups in armed conflict.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 43 of the Basic Conditions of Employment Act (BCEA) (32)
Minimum Age for Hazardous Work	Yes	18	Regulations on Hazardous Work by Children in South Africa (40)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 4–10 of the Regulations on Work by Children in South Africa; Part II, Articles 6–9 of the BCEA; Regulations on Hazardous Work by Children in South Africa (40,41)
Prohibition of Forced Labor	Yes		Article 13 of the Constitution; Article 141 of the Children's Amendment Act; Article 48 of the BCEA (41-43)
Prohibition of Child Trafficking	Yes		Article 141 of the Children's Amendment Act (43)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 141 of the Children's Amendment Act; Chapter 3 of Criminal Law Amendment Act 32 (43,44)
Prohibition of Using Children in Illicit Activities	Yes		Article 141 of the Children's Amendment Act (43)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 52 of the Defense Act (45)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 52 of the Defense Act (45)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15	Chapter 2, Articles 1–5 of the South African Schools Act (46)
Free Public Education	No		Chapter 2, Article 5 and Chapter 4, Article 39 of the South African Schools Act (46)

* No conscription (45)

In 2018, the President endorsed and published the amended Children’s Act to determine that persons convicted of egregious criminal offenses, such as child trafficking and child pornography, must be “deemed unsuitable to work with children.” (47-49)

Article 39 of the Education Act permits any public school to charge fees to ensure a sufficient operating budget if a majority of parents at that school vote to do so at the beginning of the year. (46)

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 South African Department of Labor (SADOL) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
South African Department of Labor (SADOL)	Enforces child labor laws by conducting inspections of worksites and operates 127 labor centers throughout the country where complaints may be lodged. (7,50) Refers victims to social workers and reports violations to the South African Police Service (SAPS) for further investigation and to the South African Department of Justice and Constitutional Development for prosecution. (7,51,52) Convenes the Child Labor Intersectoral Committee and coordinates child labor programs. (7)
South African Police Services (SAPS)	Enforces legislative mandate under the Children’s Act to investigate cases involving the worst forms of child labor. (53) Through its Human Trafficking Desk, monitors and evaluates police efforts to investigate human trafficking crimes, train investigators, and refer human trafficking cases to provincial SAPS units. (8) Operates victim-friendly rooms in 1,049 police stations nationally. (54)
South African Department of Justice and Constitutional Development	Enforces criminal laws on the worst forms of child labor. (1) Through its Children’s Court, focuses on litigation involving children accused of or victimized by crimes, and cases involving child abuse, abandonment, and neglect. (55)
National Prosecution Authority (NPA)	Prosecutes criminal cases, including human trafficking and other worst forms of child labor cases. (8,56)
Department of Social Development (DSD)	Provides child protection and social services to vulnerable children, including victims of human trafficking. (1) Manages 57 shelters for children living and working on the streets. (57)

Labor Law Enforcement

In 2018, labor law enforcement agencies in South Africa took actions to combat child labor (Table 6). However, gaps exist within the operations of the SADOL that may hinder adequate labor law enforcement, including the authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$34.7 million (1)	\$39 million (7)
Number of Labor Inspectors	1,295 (1)	1,283 (7)
Inspectorate Authorized to Assess Penalties	No (32)	No (32)
Initial Training for New Labor Inspectors	Yes (1)	Yes (7)

South Africa

MINIMAL ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Training on New Laws Related to Child Labor	No (1)	Yes (7)
Refresher Courses Provided	Yes (1)	Yes (7)
Number of Labor Inspections Conducted	185,958 (7)	214,946 (7)
Number Conducted at Worksite	Unknown (1)	Unknown (7)
Number of Child Labor Violations Found	45 (1)	Unknown (7)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (1)	Unknown (7)
Number of Child Labor Penalties Imposed that Were Collected	N/A (1)	Unknown (7)
Routine Inspections Conducted	Yes (1)	Yes (7)
Routine Inspections Targeted	Yes (1)	Yes (7)
Unannounced Inspections Permitted	Yes (1)	Yes (7)
Unannounced Inspections Conducted	Yes (1)	Yes (7)
Complaint Mechanism Exists	Yes (1)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (7)

The number of labor inspectors is likely insufficient for the size of South Africa's workforce, which includes more than 22 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, South Africa would employ about 1,479 inspectors. (58,59)

Sources indicate that the inspectorate has limited resources to carry out its mandates. Although the inspectorate spent approximately \$356,000 on inspection and enforcement training in 2018, SADOL acknowledges that this is insufficient to allow its inspectors to specialize in sectors or occupations. (7) Some labor inspectors encounter difficulties in accessing farms due to concerns for their safety or fear of entering private property. (1) The government did not provide information on the number of child labor inspections conducted at worksites, violations found, or penalties imposed and collected for inclusion in this report.

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in South Africa 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 prosecution planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (1)	Yes (7)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (1)	Yes (7)
Refresher Courses Provided	Yes (1)	Yes (7)
Number of Investigations	2 (1)	30 (7)
Number of Violations Found	45 (1)	3 (7)
Number of Prosecutions Initiated	1 (1)	1 (7)
Number of Convictions	1 (1)	1 (7)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (7)

NGOs reported that the South African Police Service had difficulties properly identifying victims of human trafficking during law enforcement activities, despite assistance from the NGO community. Due to improper screening, police sometimes arrested child trafficking victims instead of referring them to social services for assistance. (2)

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 coordination among national and provincial task teams.

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

Coordinating Body	Role & Description
Implementation Committee on Child Labor	Monitors and supports advocacy and awareness raising, mainstreaming of child labor into government policies, and the implementation of child labor programs, legislation, and enforcement. (1) Chaired by SADOL, members include representatives from commercial agriculture, trade unions, and government agencies, including SAPS. (8) Includes provincial-level child labor coordinating structures. (1) This group met on an irregular basis in 2018. (60)
Provincial Child Labor Intersectoral Support Groups	Facilitate the collection of data and prevention of all types of child labor at the provincial level. Established by SADOL and managed by child labor coordinators in each province; members include the SADOL Head Office, SADOL Provincial Child Labor Coordinators, the Department of Justice (DOJ), the National Prosecuting Authority, the Department of Home Affairs (DHA), DSD, the Department of Education, NGOs, and labor federations. (8,61) The national and provincial task teams lack training on human trafficking, resulting in unlawful arrests and detentions of human trafficking victims. Moreover, some teams failed to meet and communicate during the year. (62)
National Trafficking in Persons Task Team	Coordinates the government's anti-human trafficking efforts, including overseeing strategy and policy decisions made at the provincial level in Gauteng, Mpumalanga, KwaZulu-Natal, Western Cape, Limpopo, and Eastern Cape. Led by NPA's Sexual Offenses and Community Affairs Unit and DOJ's Victim Support Directorate, members include SADOL, DSD, and DHA, as well as other representatives of national law enforcement. (8,10) Research was unable to determine whether actions were taken by the committee during the reporting period.

Reports indicate that the National Trafficking in Persons Task Team lacks a budget, has no funding for permanent staff, and provides no training to enforcement agencies to ensure adequate enforcement of trafficking in persons laws. (1)

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 mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Child Labor Programme of Action for South Africa, Phase IV (2017–2021)	Serves as the primary policy instrument to prevent and eliminate child labor in South Africa. (1) Promotes government activities by outlining the mandate of each agency to combat child labor. (8,63) Provides a reciprocal referral mechanism through which SAPS informs SADOL of suspected child labor cases. (7) Lead agencies identified in the program include: Departments of Labor, Basic Education, Justice and Constitutional Development, Social Development, and Water and Sanitation; SAPS; the National Prosecuting Authority; and Statistics SA. (1,63) In 2018, the government provided food packages to child-headed households and poverty-stricken families, and antiretroviral medicine to those living with HIV/AIDS. (7) The program does not include a timeframe to meet identifiable benchmarks or to assess the progress and adequacy of implementation efforts.
Prevention and Combating of Trafficking in Persons National Policy Framework†	Outlines the development of new procedures and training programs for police and labor inspectors on trafficking for labor exploitation, including child labor. Enhances social assistance programs to address the needs of child victims of trafficking, including psychological and social support, food and shelter, school and community reintegration, and placement and protection in child and youth care centers. (64)

† Policy was approved during the reporting period.

The government has not included child labor elimination and prevention strategies in the South African Education Action Plan or the National Development Plan. (65,66)

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.

South Africa

MINIMAL ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Support Grant†	Led by DSD and the South African Social Security Agency, provides monthly direct cash transfers to primary caregivers who have vulnerable children. Helps alleviate economic pressures and lower the cost of raising a child. (1,8) In 2018, the government expanded funding for the Child Support Grant. To date, 12.2 million children have benefited from the program. (7)
Foster Care Grants†	Encourages children in the foster care system to remain in school, as a preventive technique to combat child labor. (8) The government continued the program in 2018. To date, about 407,000 children have benefited from the Foster Care Grant. (7)
National School Nutrition Program†	Provides school meals to vulnerable primary and secondary school children from poor families. (1,67,68) The government continued the program in 2018. To date, approximately 88 percent of vulnerable children have benefited from this program. (7)
Food Relief Program†	DSD and the South African Social Security Agency program that provides food assistance to vulnerable and orphaned children, as well as child-headed households with insufficient income. (69,70) The government continued the program in 2018. To date, the program has financially supported 140 community nutrition development centers and provided food to half a million people. (71)
Shelters and Care Centers†	DSD program that funds 14 shelters and oversees 17 NGO-operated temporary safe care centers for victims of abuse and human trafficking, including children. (10,72) In 2018, 55 Thuthuzela Care Centers provided assistance to rape and sexual violence victims, including minors, but no data is available on the number of victims who were minors. (27)
Awareness-raising Campaigns†	Conduct training on anti-human trafficking initiatives and regulations governing social services providers. (10) During the reporting period, NPA, the Department of Justice and Constitutional Development, SAPS, and the Department of Basic Education conducted awareness-raising activities for students throughout the country. DSD hosted an awareness-raising talk on best practices in responding to child trafficking, which was attended by 200 delegates from across the country. (27,73)

† Program is funded by the Government of South Africa.

Although South Africa has programs that target child labor, and data collected and reported by the Government of South Africa state that child labor is decreasing, the scope and reach of social programs are insufficient to address the child labor problem, particularly in agriculture and domestic work. (74)

Sources indicate that around 1.8 million children who are most in need of the Child Support Grant have reported difficulties in accessing required application documents. (7)

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 South Africa (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Establish by law free basic public education.	2018
Enforcement	Authorize the labor inspectorate to assess penalties.	2015 – 2018
	Publish information on the number of child labor inspections conducted at worksites, violations found, and penalties imposed and collected.	2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2017 – 2018
	Ensure that sufficient resources and training are provided to the labor inspectorate to conduct inspections, including in sectors in which child labor is known to occur.	2018
	Ensure that law enforcement properly identify victims of the worst forms of child labor.	2017 – 2018
Coordination	Ensure all coordination bodies are able to carry out their intended mandates.	2017 – 2018
Government Policies	Include a timeframe and benchmarks in the Child Labor Program of Action for South Africa to properly monitor and assess the progress of efforts to combat child labor.	2017 – 2018
	Integrate child labor elimination and prevention strategies into the South African Education Action Plan and the National Development Plan.	2013 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that refugees and children with disabilities have equal access to education.	2016 – 2018
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2018
	Ensure that children are not denied access to education, including the ability to take final exams due to the lack of adequate identification or proof of immunization.	2018
	Ensure access to education for all children by eliminating school-related fees.	2009 – 2018
	Institute programs to address the worst forms of child labor in agriculture and domestic work.	2010 – 2018

REFERENCES

- U.S. Consulate- Johannesburg. Reporting. January 16, 2018.
- U.S. Department of State. Trafficking in Persons Report- 2017: South Africa. Washington, DC, June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/south-africa/>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 25, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Statistics South Africa. Survey of Activities of Young People, 2015. March 16, 2017: Statistical release P0212. <http://www.statssa.gov.za/publications/P0212/P02122015.pdf>.
- Department of Labour, Republic of South Africa. Free State Labour Inspectors going beyond the call of duty in protecting vulnerable workers and eradicating child labour in the Wesselsbron and Allanridge farms. September 2, 2017. <http://www.labour.gov.za/DOL/media-desk/media-statements/2017/free-state-labour-inspectors-going-beyond-the-call-of-duty-in-protecting-vulnerable-workers-and-eradicating-child-labour-in-the-wesselsbron-and-allanridge-farms/?searchterm=child+labour>.
- U.S. Embassy- Pretoria. Reporting. January 30, 2019.
- U.S. Consulate- Johannesburg. Reporting. February 7, 2014.
- U.S. Consulate- Johannesburg official. Email communication to USDOL official. April 13, 2015.
- U.S. Embassy- Pretoria. Reporting. February 21, 2014.
- Christy Zinn. Gangs target children in Cape Town. July 8, 2014. <https://www.urbanafrika.net/theme/human-rights/violence-crime/>.
- Shaun Swingler. Fighting the gangs of South Africa’s Western Cape. May 29, 2014. <https://www.theguardian.com/world/2014/may/29/gangs-south-africa-western-cape>.
- Kimberley, Kathryn. PE dad’s child porn case postponed. HeraldLIVE, February 1, 2017. <http://www.heraldlive.co.za/news/2017/02/01/pe-dads-child-porn-case-postponed/>.
- Pryor, Justin. Catawba County Child Pornography Investigation Leads To Two Arrests In South Africa. WCCB Charlotte, February 17, 2017. <http://www.wccbcharlotte.com/2017/02/17/catawba-county-child-pornography-investigation-leads-two-arrests-south-africa/>.
- The Citizen. Pastor arrested for child pornography in Cape Town. September 9, 2017. <https://citizen.co.za/news/south-africa/1646653/pastor-arrested-for-child-pornography-in-cape-town/>.
- eNCA. Woman arrested for alleged role in human trafficking, child pornography. October 22, 2017. <https://www.enca.com/south-africa/woman-arrested-for-alleged-role-in-human-trafficking-child-pornography>.
- Ramothwala, Peter. Teen used to hook girls into sex slavery. Sowetan, May 23, 2017. Source on file.
- Helen Bamford. Concern over child prostitution in Karoo. iol.co.za, October 16, 2015. <http://www.iol.co.za/news/crime-courts/concern-over-child-prostitution-in-karoo-1.1931180#.Vk0KNNKrSM8>.
- Graham, S. Dozens of Children Packed ‘Like Goats’ in Traffickers’ Lorry. London: The Times, July 28, 2016. Source on file.
- Zoe Mahopo. Human Traffickers Thriving in Limpopo. South Africa: Sowetan, October 4, 2016. <https://www.sowetanlive.co.za/news/2016-10-05-human-traffickers-thriving-in-limpopo/>.
- Radio 702. I don’t feel like I’m still my mothers little girl - human trafficking survivor. March 14, 2017. <http://www.702.co.za/articles/248251/i-don-t-feel-like-i-m-still-my-mothers-little-girl-human-trafficking-survivor>.
- South Africa Today. Child Prostitution and Drugs in South Africa – VIDEO. June 29, 2017. <https://southafricatoday.net/media/south-africa-video/crime-videos/child-prostitution-and-drugs-in-south-africa-video-a/>.
- TIMESLIVE. Brothers to appear in court on human trafficking and rape charges. November 1, 2017. <https://www.timeslive.co.za/news/south-africa/2017-11-01-brothers-to-appear-in-court-on-human-trafficking-and-rape-charges/>.
- Fengu Msindisi. Human trafficking: A terror run for her life. News24, July 23, 2017. <https://www.news24.com/SouthAfrica/News/human-trafficking-a-terror-run-for-her-life-20170723-2>.
- Sunday Tribune. Lesotho boys trafficked to Cape. March 5, 2017. Source on file.
- Savides, M. Farms and informal sector exploit thousands of kids. Johannesburg: Sunday Times, March 29, 2015. Source on file.
- U.S. Embassy- Pretoria. Reporting. March 5, 2019. Source on file.
- Xonlani Koyana. EC Farmer Handed 15-Year Sentence for Child Prostitution. ewn.co.za, May 8, 2015. <http://ewn.co.za/2015/05/08/EC-farmer-handed-15-year-jail-sentence-for-child-prostitution>.
- Maluleke, Witness, and Beauty Y Mabaso. Integrated perceptions on child trafficking: A lifeless life practice. Journal Article - Child Abuse Research in South Africa 18, no. 1 (2017), 2017. http://journals.co.za/docserver/fulltext/carsa_v18_n1_a7.pdf?expires=1500564341&id=id&accname=57709&checksum=98E3DE2ED9D972887C8D60D6D2F30EB4.
- The Mercury. Let’s work together to create a safe environment for our children. June 7, 2017. Source on file.
- UNICEF. Child Protection: Orphans and vulnerable children. Last accessed March 7, 2018. https://www.unicef.org/southafrica/protection_6631.html.

South Africa

MINIMAL ADVANCEMENT

- 32 Government of South Africa. Basic Conditions of Employment Act, No. 75 of 1997. Enacted December 5, 1997.
https://www.gov.za/sites/default/files/gcis_document/201409/a75-97.pdf.
- 33 Republic of South Africa Department of Education. Amended National Norms and Standards for School Funding, No. 75. February 2, 2018.
<https://www.naptosagp.org.za/index.php/documents-02/general-documents/817-amended-norms-and-standards-for-schools-funding-feb-2018/file>.
- 34 U.S. Department of State. Country Reports on Human Rights Practices-2018: South Africa. Washington, DC: March 13, 2019.
<https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/south-africa/>.
- 35 Govender, Prega. No ID, no matric for 'foreign' pupils: Schools crack down on children of immigrant parents. December 30, 2018.
<https://www.timeslive.co.za/sunday-times/news/2018-12-30-no-id-no-matric-for-foreign-pupils/>.
- 36 Mabuza, Ernest. Rights commission wants in on undocumented children court case. The Sunday Times, July 2, 2019.
<https://www.timeslive.co.za/news/south-africa/2019-07-02-rights-commission-wants-in-on-undocumented-children-court-case/>.
- 37 UNHRC. Letter by the High Commissioner to the Foreign Minister: South Africa. October 23, 2017.
<http://lib.ohchr.org/HRBodies/UPR/Documents/Session27/Z/A/SouthAfricaHCLetter.pdf>.
- 38 Human Rights Watch. World Report: South Africa. January 2018.
https://www.hrw.org/sites/default/files/southafrica_1.pdf.
- 39 Section27. Too Many Children Left Behind: Exclusion in the South African Inclusive Education System With a focus on the Umkhanyakude District, KwaZulu-Na. 2016.
<http://section27.org.za/wp-content/uploads/2016/08/Umkhanyakude-Report-Final-08082016-1.pdf>.
- 40 Department of Labour, Republic of South Africa. Regulations on Hazardous Work By Children. Pretoria: Accessed August 7, 2018.
<https://www.labour.gov.za/downloads/documents/useful-documents/basic-conditions-of-employment/childlabourooklet2012.pdf>.
- 41 Government of South Africa. Basic Conditions of Employment Act (75 of 1997): Regulations on Hazardous Work by Children in South Africa, No. 32862. Enacted: January 15, 2010.
<http://www.polity.org.za/article/basic-conditions-of-employment-act-751997-regulations-on-hazardous-work-by-children-in-south-africa-gazette-no-32862-regulation-7-2010-01-28>.
- 42 Government of South Africa. Constitution. Enacted: 1996.
<http://www.justice.gov.za/legislation/constitution/constitution.htm>.
- 43 Government of South Africa. The Children's Amendment Act of 2007. Enacted: March 2008. Source on file.
- 44 Government of South Africa. Criminal Law Amendment Act 32 of 2007.
https://www.saps.gov.za/resource_centre/acts/downloads/sexual_offences/sexual_offences_act32_2007_eng.pdf.
- 45 Government of South Africa. Defense Act 42 of 2002, No. 42. Enacted: February 2003.
<http://bit.ly/zF64Vj>.
- 46 Government of South Africa. South African Schools Act, No. 84 of 1996. Enacted: November 15, 1996.
<http://www.acts.co.za/south-african-schools-act-1996/index.html>.
- 47 Government of South Africa. Children's Act 38 of 2005. Enacted: June 8, 2006.
http://www.justice.gov.za/legislation/acts/2005-038_childrensact.pdf.
- 48 Government of South Africa. Act No. 17 of 2016: Children's Amendment Act, 2016. Enacted January 19, 2017.
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/104331/127235/F-215539430/ZAF104331.pdf>.
- 49 Government of South Africa. Commencement of the Children's Amendment Act (No. 17 of 2016) and the Children's Second Amendment Act (No. 18 of 2016). Pretoria, January 26, 2018.
<https://pmg.org.za/bill/572/>.
- 50 U.S. Consulate- Johannesburg. Reporting. January 24, 2017.
- 51 Government of South Africa. Department of Labor - About Us. Last accessed online March 7, 2018.
<http://www.labour.gov.za/DOL/about-us>.
- 52 Government of South Africa, Department of Labour. Enforcement Manual for Labour Inspectors. May 17, 2011.
<http://www.labour.gov.za/DOL/downloads/documents/useful-documents/occupational-health-and-safety/enforcementmanual.pdf/view>.
- 53 Government of South Africa. South African Police Service Strategic Plan 2014-2019.
https://www.saps.gov.za/about/stratframework/strategic_plan/2015_2019/strategic_plan_2015.pdf.
- 54 South African Police Service. Annual Report 2017/2018. August 31, 2018.
https://www.saps.gov.za/about/stratframework/annual_report/2017_2018/saps_annual_report_2017_2018.pdf.
- 55 Government of South Africa. Children's Court Webpage Description. Last accessed online March 12, 2018.
<http://www.justice.gov.za/vg/children.html>.
- 56 Government of South Africa. National Prosecution Authority Mandate. Last accessed online March 12, 2018.
<https://www.npa.gov.za/node/9>.
- 57 Government of South Africa. List of Shelters for Street Children. Last accessed online March 12, 2018.
http://www.dsd.gov.za/index.php?option=com_docman&task=cat_view&Itemid=39&gid=123.
- 58 CIA. The World Factbook. Accessed August 7, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://www.cia.gov/library/publications/the-world-factbook/geos/sf.html>.
- 59 UN. World Economic Situation and Prospects 2018. Accessed August 7, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/WESP2018_Full_Web-1.pdf.
- 60 U.S. Embassy- Pretoria official. Email communication to USDOL official. July 9, 2019.
- 61 U.S. Consulate- Johannesburg official. Email communication to USDOL official. May 13, 2014.
- 62 U.S. Embassy- Pretoria. Reporting. February 16, 2018.
- 63 Government of South Africa. Child Labour: Programme of Action for South Africa: Phase 4: 2017-2021. Pretoria: Department of Labour, Accessed June 17, 2018. Source on file.
- 64 Government of South Africa, Department of Justice and Constitutional Development. Prevention and Combating of Trafficking in Persons National Policy Framework. Pretoria, April 10, 2019.
<http://www.justice.gov.za/docs/other-docs/2019-TIP-NPF-10April2019.pdf>.
- 65 Government of South Africa. National Development Plan 2030. Pretoria: August 15, 2012.
<https://www.gov.za/issues/national-development-plan-2030>.
- 66 Government of South Africa, Department of Basic Education. Action Plan to 2019: Towards the Realisation of Schooling. Pretoria, August 21, 2015.
<https://www.education.gov.za/Portals/0/Documents/Publications/ActionPlan2019.pdf>.
- 67 Department of Education, Republic of South Africa. National School Nutrition Programme: A Guide for Secondary Schools. 2009. Source on file.
- 68 Drake, L, et al. Global School Feeding Sourcebook: Lessons from 14 Countries. London: Imperial College Press, 2016.
<https://openknowledge.worldbank.org/handle/10986/24418>.
- 69 U.S. Consulate- Johannesburg. Reporting. January 20, 2016.
- 70 U.S. Consulate- Johannesburg. Reporting. January 16, 2015.
- 71 U.S. Consulate- Johannesburg official. Email communication to USDOL official. April 7, 2017.

- 72 U.S. Department of State. Trafficking in Persons Report- 2018: South Africa. Washington, DC, June 28, 2018.
<https://www.state.gov/reports/2018-trafficking-in-persons-report/south-africa/>.
- 73 U.S. Department of State. Trafficking in Persons Report- 2019: South Africa. Washington, DC, June 20, 2019.
<https://www.state.gov/reports/2019-trafficking-in-persons-report/south-africa/>.
- 74 U.S. Consulate- Johannesburg. Email communication to USDOL official. June 17, 2018.

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2018, South Sudan is receiving an assessment of no advancement. Although South Sudan made some efforts to eliminate the worst forms of child labor, government officials were complicit in the forcible recruitment of children to fight opposition groups. The government acceded to the UN CRC Optional Protocols on Armed Conflict and Sale of Children, Child Prostitution and Child Pornography, and signed the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan. The South Sudan Disarmament, Demobilization, and Reintegration Commission also secured the release of 934 children from armed groups and launched several new policies, which may have an impact on child labor. However, despite new initiatives to address child labor, South Sudan is receiving an assessment of no advancement because its national army—the South Sudan People’s Defense Forces—recruited children, sometimes forcibly, to fight opposition groups. Children in South Sudan engage in the worst forms of child labor, including in armed conflict and cattle herding. The labor inspectorate also does not have sufficient resources to conduct labor inspections and did not hold accountable perpetrators of child labor. In addition, the government has yet to ratify the Palermo Protocol on Trafficking in Persons and police continued to indiscriminately arrest and imprison children engaged in commercial sexual exploitation rather than treating them as victims.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in South Sudan engage in the worst forms of child labor, including in armed conflict and cattle herding. (I-9) Table I provides key indicators on children’s work and education in South Sudan.

Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	45.6 (463,624)
Attending School (%)	6 to 14	31.5
Combining Work and School (%)	10 to 14	10.9
Primary Completion Rate (%)		25.7

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2019. (10)

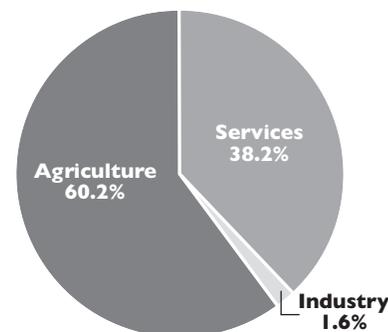
Source for all other data: International Labor Organization’s analysis of statistics from Fifth Housing and Population Census, 2008. (11)

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	Farming activities, including planting and harvesting crops (9,12)
	Cattle herding† (9)
	Gathering firewood (9)
Industry	Construction,† including building and transporting materials (13,14)
	Rock breaking† (13,14)
	Making bricks (1,9)
	Gold mining,† including carrying soil, and panning (2,9)

Figure I. Working Children by Sector, Ages 10-14



South Sudan

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Domestic work (15)
	Street work, including vending, polishing shoes, preparing tea, selling black market gasoline, and ticket-taking for group transport companies (9)
	Cooking and cleaning in restaurants or food stands (9)
	Scrap metal and empty bottle collection (14,16)
	Work in slaughterhouses, including transporting livestock and meat (14)
Categorical Worst Forms of Child Labor‡	Forced labor in brickmaking, cattle herding, gold mining, and market vending (13,17)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,9,13)
	Forced recruitment of children by state and non-state armed groups for use in armed conflict (3,4,16,18,19)

† 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.

Salva Kiir Mayardit, the President of South Sudan, Riek Machar, the leader of the Sudan People’s Liberation Movement/Army in Opposition (SPLA-IO), and other rebel factions and parties signed a peace deal in September 2018, but violent conflict continued throughout the year due to weak chains of command, mistrust, and fighting over natural resources. (4,5,20) Since the onset of conflict in 2013, over 4.3 million people have been internally displaced or have fled the country, and UNICEF has registered 11,731 unaccompanied minors, who are particularly vulnerable to the worst forms of child labor. (6-8,13,21) Detailed information about sectors in which child labor occurs is unavailable as there has not been a comprehensive child labor survey in South Sudan. (16)

In 2018, armed groups from all sides continued to recruit and use children as young as age 12, with the highest levels of recruitment, use, and re-recruitment of children documented in Unity, Greater Equatoria area, Upper Nile, and Jonglei. (3,5,7-9,13,21,22) The national army of South Sudan—the South Sudan People’s Defense Forces (SSPDF), previously known as Sudan People’s Liberation Army (SPLA)—and opposition groups, including the pro-Machar SPLA-IO, pro-Taban Deng SPLA-IO, and the South Sudan National Liberation Movement (SSNLM), forcibly abducted children from their homes, schools, and communities. (4,5,8,9,15,23) UNICEF suspects the use of children in armed conflict increased in 2018, as commanders were incentivized to enlarge their ranks ahead of the implementation of the peace agreement in order to receive reintegration bonuses. (9,23) An even greater number of children fight as part of local community defense forces, during which they are used by their communities to perpetuate inter- and intra-communal violence. (15) Although some children voluntarily joined armed groups, they were later unable to leave the groups at will. (7,9,19,22,24) Children affiliated with armed groups performed active combat roles, perpetuated violence against civilians, and recruited other children. They also collected firewood, manned checkpoints, and carried out other support roles, including as cooks, porters, spies, and bodyguards to senior officers. (4,7,8,13,24,25) Girls were frequently coerced into performing sex acts and becoming concubines for male combatants. (4,8,9,23,25)

Ongoing conflict continued to impair the government’s ability to deliver aid, provide education, and address the worst forms of child labor. (16,22) In 2018, the SSPDF and other armed groups carried out at least 18 attacks on schools across the country and the UN verified 26 new incidents of occupancy and use of schools for military purposes. (8,23,26) Despite some schools being vacated by armed groups during the year, many schools were still being used for military purposes at year’s end, affecting education for 32,500 children. (8,23,27)

As many as 2.4 million children—72 percent of the school-age population—are not attending school, and only an estimated 1 in 13 children will complete a full cycle of primary education if the current situation persists. (7,21,22) Although the Constitution and the Child Act provide for free primary education and the education budget significantly increased for the 2018/2019 school year, in practice, many families must contribute school fees to pay teacher salaries and other related costs, which may be prohibitive. (9,21,22,28) Other barriers to education include low levels of birth registration, chronic food insecurity, poor infrastructure, social reintegration for demilitarized youth, ongoing insecurity, fear of abduction or violence in route to schools, long

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

distances to schools in rural areas, unpaid teacher salaries which leads to truancy by teaching staff, and a shortage of qualified teachers. (7-9,21,22,24,27,28)

II. LEGAL FRAMEWORK FOR CHILD LABOR

South Sudan has ratified most 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	

In 2018, the Government of South Sudan acceded to the UN CRC's two optional protocols. (29,30)

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

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Section 12 of the Labour Act; Article 25(3) of the Child Act (31,32)
Minimum Age for Hazardous Work	Yes	18	Sections 12 and 13 of the Labour Act; Articles 22(3), 24(1), and 25(1) of the Child Act (31,32)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 25(2) of the Child Act (31)
Prohibition of Forced Labor	Yes		Articles 10(1) and 13(2)(a) of the Labour Act; Articles 277–279 of the Penal Code; Article 13 of the Constitution (32-34)
Prohibition of Child Trafficking	Yes		Article 13(2) of the Labour Act; Article 22(3)(b) of the Child Act; Articles 276 and 278–282 of the Penal Code (31-33)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 13(2)(b) of the Labour Act; Articles 22(3)(c)–(d), 22(4), and 25(2)(m) of the Child Act; Articles 258 and 276 of the Penal Code (31-33)
Prohibition of Using Children in Illicit Activities	Yes		Article 13(2)(c) of the Labour Act; Article 24(1) of the Child Act; Article 383(3)(d) of the Penal Code (31-33)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 31(1) of the Child Act; Section 22 of the Sudan People's Liberation Army Act (31,35)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 31(1) of the Child Act; Sections 20, 22(2) and (7) of the Sudan People's Liberation Army Act (31,35)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 31(1) of the Child Act (31)
Compulsory Education Age	No	13	Article 9.1(b) of the General Education Act; Article 14(1) of the Child Act (31,36)
Free Public Education	Yes		Article 6(a) of the General Education Act; Article 13(4)(b) of the Labour Code; Article 14(1) of the Child Act; Article 29.2 of the Constitution (31,32,34,36)

South Sudan

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2018, the Government of South Sudan passed the Civil Registry Act, which will improve access to birth registration and facilitate age verification needs. (6) The Labour Act appears to have two contradictory standards for prohibiting children from engaging in hazardous work: Article 13 prohibits hazardous work, which constitutes the worst forms of child labor, for children under the age of 18 in line with international standards, while Article 12(2) only prohibits children under the age of 14 from engaging in the worst forms of child labor, which is a violation of international standards. (32) In accordance with the Labour Act, the Ministry of Labor, Public Service, and Human Resource Development (MOL) must draft and issue regulations to implement key elements related to child labor, including the number of hours and conditions for light work, the exceptions under which 16-year-old children may perform hazardous work, and a complete hazardous work list. (9,32)

Children are required to attend school only until age 13. This standard makes children between ages 13 and 14 particularly vulnerable to the worst forms of child labor because they are not required to be in school but are also not legally permitted to work. (9,31,36)

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, the exceptionally low number of worksite inspections conducted at the national level in South Sudan may have impeded the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Public Service, and Human Resource Development (MOL)	Enforces child labor laws, identifies child labor violations, and conducts workplace inspections. (9,31,32,37)
Ministry of Gender, Child, and Social Welfare	Coordinates activities on children's rights and acts as the focal ministry for child protection. (9)
South Sudan's People's Defense Forces (SSPDF) Directorate for Child Protection	Prevents the recruitment of children into the army, monitors barracks, identifies child soldiers and assists with their release, investigates allegations of child soldiering, and provides training on children's rights to child protection officers and members of the SSPDF. Headed by a Brigadier General, serves as liaison between the SSPDF and the international community. (9,26) In 2018, agreed to receive training for 1,200 SSPDF child protection focal points who will respond to victims of abuse or exploitation, including children used in armed conflict. (15)
Ministry of Interior's South Sudan National Police Services	Enforces criminal laws related to the worst forms of child labor. (9)
Ministry of Justice	Oversees all courts and prosecutes violations, including those related to child labor. (9)

Labor Law Enforcement

In 2018, the exceptionally low number of worksite inspections conducted at the national level in South Sudan may have impeded the enforcement of child labor laws (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$32,000 (16)	Unknown (9)
Number of Labor Inspectors	8 (16)	9 (9)
Inspectorate Authorized to Assess Penalties	Yes (16)	Yes (9)
Initial Training for New Labor Inspectors	No (16)	Yes (9)
Training on New Laws Related to Child Labor	No (16)	No (9)
Refresher Courses Provided	No (16)	No (9)
Number of Labor Inspections Conducted	Unknown (16)	1 (38)
Number Conducted at Worksite	Unknown (16)	1 (38)
Number of Child Labor Violations Found	0 (16)	18 (38)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (16)	0 (38)
Number of Child Labor Penalties Imposed that Were Collected	N/A (16)	N/A
Routine Inspections Conducted	Unknown (16)	No (9)
Routine Inspections Targeted	Unknown (16)	N/A

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Unannounced Inspections Permitted	Yes (16)	Yes (32)
Unannounced Inspections Conducted	No (16)	No (9)
Complaint Mechanism Exists	No (16)	Yes (31,32)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (16)	Yes (31)

Although the law requires child labor violations to be reported to the MOL, which is responsible for coordinating the appropriate response, this did not occur in 2018. (9,31) There was also high absenteeism among ministry staff and salaries for civil servants in nearly every ministry were not paid for several months, hindering the labor inspectorate’s ability to enforce child labor laws. (9) In addition, officials from the MOL reported that in 2018 they lacked sufficient resources, such as fuel and vehicles for transport, to conduct labor inspections. (9,37) Although statistics on the number of people in South Sudan’s labor force are unavailable, it is unlikely that nine labor inspectors are sufficient to address the scope of the country’s child labor problem. (9,39,40)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in South Sudan 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	Unknown (41)	No (9)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (41)	N/A
Refresher Courses Provided	Unknown (41)	Yes (15,42)
Number of Investigations	0 (41)	Unknown (9)
Number of Violations Found	311 (41)	934 (9)
Number of Prosecutions Initiated	0 (41)	0 (9)
Number of Convictions	0 (41)	0 (9)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	No (41)	No (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (41)	No (6,43)

In 2018, the South Sudanese government cooperated with UNODC to deliver the country’s first workshop on identifying and investigating cases of human trafficking. (15) Despite this effort, South Sudan’s justice system faces enormous challenges, such as low capacity, insufficient funding, interference by the government and the SSPDF, lack of training for law enforcement personnel, and a scarcity of judges, prosecutors, and defense attorneys. (9,13,26,27) Research indicates that prosecutors and law enforcement officials are not familiar with legal statutes regarding the worst forms of child labor. (9,13) As a result, police continued to indiscriminately arrest and imprison children engaged in commercial sexual exploitation rather than treating them as victims. (13)

The UN Mission in South Sudan conducted a number of investigations into reports of children in armed groups, but it is unknown how many total investigations were completed. (9) Although both the 2017 Agreement on the Cessation of Hostilities and the August 2013 Punitive Order commit the SSPDF to hold its military officers accountable for the recruitment or use of children, the government has neither investigated nor prosecuted officers who allegedly committed such crimes. (13,15,26,44,45)

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 coverage of all relevant sectors.

South Sudan

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

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

Coordinating Body	Role & Description
South Sudan Disarmament, Demobilization, and Reintegration Commission (NDDRC)	Oversees and coordinates all DDR activities with the assistance of UN bodies by convening regular meetings with DDR stakeholders. (43) Responsible for the negotiation of the release, screening, and registration of child soldiers; reunification with family when possible; and educational placement or vocational training. (15) In 2018, facilitated 4 formal DDR ceremonies resulting in the release and reintegration of 934 children. (6,9)

Although South Sudan has the South Sudan Disarmament, Demobilization, and Reintegration Commission (NDDRC) to coordinate efforts to address children in armed conflict, it does not have coordinating mechanisms to address other forms of child labor, as the National Steering Committee on Child Labor has not been active since it was first constituted in 2012. (9)

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 funding and implementation of relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS)†	Replaces all components of the Agreement on the Resolution of the Conflict in the Republic of South Sudan signed in 2015, including the Joint Action Plan with the UN to Combat the Use of Child Soldiers, and reaffirms commitments made under the 2017 Agreement on the Cessation of Hostilities. (20,44) Establishes the structure of a Revitalized Transitional Government of National Unity and outlines actions to be taken by signatories, including prohibiting the recruitment and use of child soldiers by armed forces or militias, and stipulates that all civilian areas, including schools, shall be immediately demilitarized. (20) Although the release of some child soldiers occurred in 2018, evidence suggests that the signatories have continued to recruit or re-recruit children. (4,5,8,9)
General Education Strategic Plan (2017–2022)†	Aims to improve access and quality of education by providing capitation grants, teacher salaries, and cash transfers to girls in upper primary and secondary schools. In 2017 and 2018, the Ministry of General Education and Instruction (MOGEI) focused on disseminating and enforcing the General Education Act of 2012, advocating for the redeployment of teachers to underserved areas, and improving girls' enrollment and retention. (45) In 2018, the MOGEI reopened some schools previously closed due to conflict, especially in the Greater Upper Nile Region. (9)

† Policy was approved during the reporting period.

In December 2018, the government announced plans to enact an immigration policy in consultation with IOM to counter child trafficking, which officials acknowledge is a significant problem. (15) The education sector of South Sudan is heavily dependent on donor funding, and sufficient funding was not allocated for the full 5-year period of the General Education Strategic Plan. (9,45)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government 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 to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
UN Joint Program for Recovery and Resilience in Yambio*	Joint agreement between donors, UN agencies, Yambio leaders, and NGOs that aims to re-establish access to basic services including psycho-social support, education, and economic alternatives for children separated from armed groups. (4,46,47)
UNICEF Country Program (2016–2018)	\$115.4 million UNICEF-funded program implemented by the government that sought to develop child protection systems, with an emphasis on birth registration; developed a child-sensitive justice system; provided basic social services to conflict-affected children and communities (including demobilized children); and provided return, reintegration, and resettlement services for children affected by armed conflict. (27) In 2018, conducted at least 4 formal release ceremonies in Jonglei and Western Equatoria State, provided psycho-social care to 198,775 children, and assisted the Government of South Sudan with passing into law the Civil Registry Act of 2018. (6)

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Transition Center	Ministry of Women, Child, and Social Welfare-administered, UNICEF-funded interim care center in Yambio that provides interim care and support to children and mothers rescued from extremist organizations and situations of human trafficking. (9,13)
Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor	USDOL-funded project implemented by the ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to combat child labor and forced labor. For additional information, please see our website. (48) In 2018, completed work on a 3-country study of forced child labor in conflict zones. (49)
Donor-Funded Education Programs	Programs aimed to improve educational access in areas affected by conflict. Includes: Emergency Education Program (2014–2018), \$3 million USAID-funded program that supported children at risk for being recruited into armed groups, which transitioned into the Integrated Essential Emergency Education Services program in July 2018; Back to Learning,* State Ministry of Education, Gender, and Social Welfare-administered, UNICEF-funded program in Yambio and Bentiu which aims to address educational needs in conflict-afflicted areas and insecure states; and Girls' Education South Sudan (GESS) (2013–2018), a State Ministry of Education, Gender, and Social Welfare-administered, UK Aid-funded program that provided \$12 monthly cash transfers to girls in public schools. (6,22,28,50) In 2018, Back to Learning provided 514,803 children with access to education, rehabilitated or established 193 classrooms, and trained 5,440 teachers and parent-teacher association members to provide life skills and psychosocial support. (50) GESS increased the number of girls enrolled in school from 4,000 in 2014 to 290,000 by November 2018, and distributed cash transfers to 295,145 girls. (9,28)
Dallaire Initiative (2018–2021)*	\$2.2 million project funded by Romeo Dallaire Child Soldiers Initiative. Aims to train 1,200 South Sudanese soldiers, police, and prison personnel on combating the use of children in armed conflict through behavior change. (51)
Alternative Education System†	Aims to improve literacy and provide out-of-school populations an alternative to formal education. Includes: the Accelerated Learning Program (ALP) targeting older teens; Community Girls' Schools (CGS) located in closer proximity to rural communities; and the Pastoralist Education Program (PEP) targeting children and adults in pastoral settings. In 2018, provided education to 111,000 students. (45)

* Program was launched during the reporting period.

† Program is funded by the Government of South Sudan.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (9,13)

In 2018, the Ministry of General Education and Instruction worked with UNICEF and education stakeholders to develop and submit a proposal for the Education Sector Plan Implementation Grant that aims to reduce the number of out-of-school children. The grant would operate from 2019–2021 and requires \$35.7 million in funding. (50)

Although South Sudan has programs that target child labor, the scope of these programs is insufficient to fully address the scope or extent of the problem, including in commercial sexual exploitation and child soldiering. In addition, the reintegration and rehabilitation services provided to child soldiers are insufficient to meet the existing needs. (9,21,46,52)

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 South Sudan (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2018
	Ensure that the compulsory education age is consistent with the minimum age for work.	2013 – 2018
	Amend Article 12(2) of the Labour Act to clarify that the worst forms of child labor are prohibited for all children under age 18.	2017 – 2018
	Draft and finalize implementing regulations for the Labour Act that provide a list of hazardous work for children, the number of hours and conditions for light work, and the exceptions under which children age 16 may perform hazardous work.	2017 – 2018

South Sudan

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the Child Act's minimum age of 18 years for voluntary military recruitment is enforced by ending all recruitment and use of children under age 18 by the South Sudan Peoples' Defense Forces (SSPDF), the Sudan Peoples' Liberation Movement/Army in Opposition (SPLA-IO), or associated militias.	2012 – 2018
	Investigate, prosecute, and punish with penalties that constitute an adequate deterrent officers in all former warring parties responsible for the recruitment or use of children in armed conflict.	2013 – 2018
	Cease all military use of schools and school compounds.	2015 – 2018
	Institutionalize training for labor inspectors, criminal law enforcement personnel, and new employees.	2012 – 2018
	Provide sufficient human and financial resources to ensure labor inspectors carry out routine and unannounced inspections, including targeted inspections based on analysis of data related to high-risk sectors and patterns of serious incidents. Publish information on funding for the labor inspectorate.	2012 – 2018
	Prosecute perpetrators of child labor violations.	2015 – 2018
	Ensure the Ministry of Labor, Public Service, and Human Resource Development is able to actively receive and respond to child labor complaints.	2015 – 2018
	Establish referral mechanisms for labor inspectors, criminal law enforcers, and social services providers to facilitate adequate enforcement of labor and criminal laws and to implement social programs that address child labor issues.	2014 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2018
	Ensure that prosecutors and law enforcement officials are familiar with the prohibitions on the worst forms of child labor; are trained in implementing all laws related to child labor; and do not treat victims of commercial sexual exploitation as offenders.	2012 – 2018
Coordination	Establish coordinating mechanisms to combat all worst forms of child labor.	2013 – 2018
Government Policies	Ensure that policies, such as the Joint Action Plan to Prevent the Use of Child Soldiers, Article 2.1.10 of the Revitalized Agreement on the Resolution of the Conflict in South Sudan, and the General Education Strategic Plan, are adequately funded and fully implemented.	2012 – 2018
Social Programs	Conduct a national child labor survey, including research to determine the activities carried out by children, to inform policies and social programs.	2013 – 2018
	Ensure that children complete their primary education by resuming payment of teachers' salaries and subsidizing other school-related costs.	2014 – 2018
	Improve access to education by addressing the lack of school infrastructure, lessening the impact of food insecurity, ensuring that schools are safe, and registering all children at birth.	2012 – 2018
	Increase the scope of social programs to reach more children at risk of child labor; including in commercial sexual exploitation and child soldiering.	2012 – 2018
	Cooperate with child protection agencies, pursuant to Article 2.1.10 of the Revitalized Agreement on the Resolution of the Conflict in South Sudan, to disarm, immediately release children in armed groups, and transfer them to appropriate social services providers. Ensure that the rehabilitation services provided to child soldiers are sufficient.	2014 – 2018

REFERENCES

- Glinski, Stefanie. In South Sudan, civil war drives more children onto the streets, into work. February 13, 2018. <http://news.trust.org/item/20180213100021-ctxmr/>.
- Cordaid. Mining in South Sudan: Opportunities and Risks for Local Communities. January 2016. <https://www.cordaid.org/en/publications/mining-south-sudan-opportunities-and-risks-local-communities-2/>.
- The Roméo Dallaire Child Soldiers Initiative. South Sudan Country Report: Children & Security, April 3, 2018. <https://www.childsoldiers.org/wp-content/uploads/2018/05/South-Sudan-April-2018.pdf>.
- UN Mission in South Sudan (UNMISS). Violations and Abuses Against Civilians in Gbudue and Tambura States (Western Equatoria) April-August 2018. October 18, 2018. <https://www.ohchr.org/Documents/Countries/SS/ReportWesternEquatoria17Oct2018.pdf>.
- UN Security Council. Letter dated 26 November 2018 from the Panel of Experts on South Sudan addressed to the President of the Security Council. S/2018/1049. November 26, 2018. <https://www.securitycouncilreport.org/un-documents/document/s20181049.php>.
- UNICEF. Child Protection. October 2018. <https://www.unicef.org/southsudan/UNICEF-South-Sudan-Child-Protection-Briefing-Note-Oct-2018.pdf>.
- UNICEF. Childhood under attack: The staggering impact of South Sudan's crisis on children. December 15, 2017. https://www.unicef.org/southsudan/UNICEF_South_Sudan_Report_Childhood_under_Attack_15Dec_FINAL.pdf.
- UN Security Council. Children and armed conflict in South Sudan Report of the Secretary General. S/2018/865. September 25, 2018. <https://reliefweb.int/sites/reliefweb.int/files/resources/NI829924.pdf>.
- U.S. Embassy- Juba. Reporting. January 14, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

- 11 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 5, 2014, Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 12 U.S. Embassy- Juba official. Email communication to USDOL official. April 16, 2015.
- 13 U.S. Department of State. Trafficking in Persons Report 2018: South Sudan. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/south-sudan>.
- 14 U.S. Embassy- Juba official. Email communication to USDOL official. February 20, 2019.
- 15 U.S. Embassy- Juba. Reporting. February 22, 2019.
- 16 U.S. Embassy- Juba. Reporting. January 16, 2018.
- 17 Human Rights Watch. “They Burned It All” - Destruction of Villages, Killings, and Sexual Violence in Unity State, South Sudan. July 2015. https://www.hrw.org/sites/default/files/report_pdf/southsudan0715_web_0.pdf.
- 18 Human Rights Watch. South Sudan: Warring Parties Break Promises on Child Soldiers. February 5, 2018. <https://www.hrw.org/news/2018/02/05/south-sudan-warring-parties-break-promises-child-soldiers>.
- 19 Ceasefire & Transitional Security Arrangements Monitoring Mechanism (CTSAMM). Child Soldiers Report 2018/02. January 15, 2018. <http://ctsamm.org/wp-content/uploads/2018/01/CTSAMM-REPORT-201802-CHILD-SOLDIERS.pdf>.
- 20 Intergovernmental Authority on Development. Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). Addis Ababa, September 12, 2018. <https://igad.int/programs/115-south-sudan-office/1950-signed-revitalized-agreement-on-the-resolution-of-the-conflict-in-south-sudan>.
- 21 UN General Assembly. Report of the Commission on Human Rights in South Sudan. February 18, 2019: A/HRC/40/69. <https://reliefweb.int/report/south-sudan/report-commission-human-rights-south-sudan-ahrc4069>.
- 22 UNESCO. Global Initiative on Out-of-School Children: South Sudan Country Study. May 2018. <https://unesdoc.unesco.org/ark:/48223/pf0000265399>.
- 23 UN Security Council. Report of the Secretary General on Children and Armed Conflict. June 20, 2019: A/73/1907-S/2019/509. <https://un.org/ga/search/view-doc.asp?symbol=S/2019/509&Lang=E&Area=unodc>. Global Horizontal Notes. January - September 2019. Source on file.
- 24 Savage, Rachel and Maura Ajak. In South Sudan, girls forced into war face gender double standards in peace. January 7, 2019. <http://www.irinnews.org/news-feature/2019/01/07/south-sudan-girls-child-soldiers-forced-war-face-gender-double-standards-peace>.
- 25 Campeanu, Andreea and Patricia Huon. Child soldiers of South Sudan. October 30, 2018. <https://www.aljazeera.com/indepth/inpictures/child-soldiers-south-sudan-181024095844282.html>.
- 26 Human Rights Watch. “We Can Die Too”: Recruitment and Use of Child Soldiers in South Sudan. December 14, 2015. <https://www.hrw.org/report/2015/12/14/we-can-die-too/recruitment-and-use-child-soldiers-south-sudan>.
- 27 UN Economic and Social Council. Country programme document: South Sudan. April 18, 2016: E/ICEF/2016/PL.9. https://www.unicef.org/about/execboard/files/2016-PL9-South_Sudan_CPD-18Apr16.pdf.
- 28 Buchanan, Elysia. Born to be Married: Addressing child, early and forced marriage in Nyal South Sudan. Juba, South Sudan: Oxfam, February 2019. https://eb-ousweb-prod-media.s3.amazonaws.com/media/documents/Oxfam_Born_to_Be_Married_South_Sudan.pdf.
- 29 UN CRC. II. b Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Accessed February 16, 2019. https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&clang=_en#EndDec.
- 30 UN CRC. II. c Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Accessed February 16, 2019. https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-c&chapter=4&clang=_en.
- 31 Government of the Republic of South Sudan. The Child Act 2008/Act No. 10. Enacted: February 10, 2009. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=&p_isn=83470&p_country=SSD&p_count=20.
- 32 Government of the Republic of South Sudan. Labour Act, 2017/Act No. 64. Enacted: October 24, 2017. Source on file.
- 33 Government of the Republic of South Sudan. The Penal Code Act. Enacted: February 10, 2009. Source on file.
- 34 Government of the Republic of South Sudan. The Transitional Constitution of the Republic of South Sudan, 2011. Enacted: 2011. <http://www.gurtong.net/ECM/Editorial/tabid/1124/ctl/ArticleView/mid/519/articleId/5133/The-Transitional-Constitution-Of-The-Republic-Of-South-Sudan-2011.aspx>.
- 35 Government of the Republic of South Sudan. The Sudan People’s Liberation Army Act, 2009. Enacted: 2009. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/98164/116700/FI105592601/SSD98164.pdf>.
- 36 Government of the Republic of South Sudan. General Education Act, 2012/Act No. 30. Enacted: 2012. Source on file.
- 37 U.S. Department of State. Country Reports on Human Rights Practices-2018: South Sudan. Washington, DC, March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/south-sudan>.
- 38 Radio Tamazuj. Torit traders cautioned against employing children. November 7, 2018. <https://radiotamazuj.org/en/v11/news/article/torit-traders-cautioned-against-employing-children>.
- 39 ILO. Strategies and practice for labour inspection. November 2006. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 40 CIA. The World Factbook. Accessed January 19, 2018. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2095rank.html>.
- 41 U.S. Embassy- Juba. Reporting. February 12, 2018.
- 42 Sackitey, Gideon. Opposition Forces in Jonglei Receive Training from UNMISS to End Child Recruitment. November 30, 2018. <https://unmiss.unmissions.org/opposition-forces-jonglei-receive-training-unmiss-end-child-recruitment>.
- 43 Lamb, Guy and Theo Stainer. The Conundrum of DDR Coordination: The Case of South Sudan. February 8, 2018. <https://www.stabilityjournal.org/articles/10.5334/sta.628>.
- 44 Intergovernmental Authority on Development. Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access. December 21, 2017. https://igad.int/attachments/article/1731/171221_Signed_CoH_Agreement.pdf.
- 45 Ministry of General Education and Instruction. The General Education Strategic Plan, 2017-2022. May 2017. <https://www.globalpartnership.org/content/general-education-strategic-plan-2017-2022-south-sudan>.

South Sudan

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

- 46 UNICEF. More children released from South Sudanese armed groups. August 7, 2018. <https://www.unicef.org/press-releases/more-children-released-south-sudanese-armed-groups-unicef>.
- 47 Logo, Janet Maya. Partnership for Recovery and Resilience launched in Yambio. October 12, 2018. <https://ss.one.un.org/partnership-for-recovery-and-resilience-launched-in-yambio.html>.
- 48 ILO. Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor Project Description. 2016. <https://www.dol.gov/agencies/ilab/projects/MAP16>.
- 49 ILO. MAP 16 Technical Progress Report. October 2018. Source on file.
- 50 UNICEF South Sudan. Education Briefing Note. October 2018. <https://www.unicef.org/southsudan/UNICEF-South-Sudan-Education-Briefing-Note-Oct-2018.pdf>
- 51 Mednick, Sam. In South Sudan, a new approach in ending child soldiers' use. November 25, 2018. <http://www.startribune.com/in-south-sudan-a-new-approach-to-end-use-of-child-soldiers/501196061/>.
- 52 Child Soldiers International. Annual Report 2017-18. September 2018. <https://www.child-soldiers.org/Handlers/Download.ashx?IDMF=841fa200-9315-4e8a-9a6c-cdf63a0af22a>.

In 2018, Sri Lanka made a moderate advancement in efforts to eliminate the worst forms of child labor. The government worked with the ILO to develop guidelines for establishing child labor free zones and trained government officials to implement this program. In addition, the National Child Protection Authority trained 2,770 criminal law enforcement officials on the prevention of the worst forms of child labor. However, children in Sri Lanka engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in domestic work. The hazardous work list is not comprehensive because it does not include domestic work. In addition, the labor inspectorate is not authorized to assess penalties.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Sri Lanka engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in domestic work. (1-4) Table 1 provides key indicators on children's work and education in Sri Lanka.

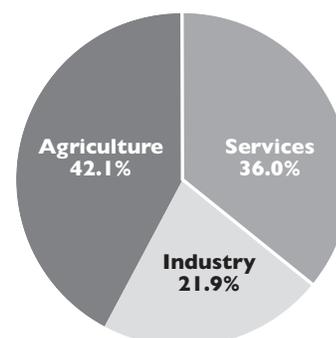
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	0.8 (28,515)
Attending School (%)	5 to 14	98.0
Combining Work and School (%)	7 to 14	0.9
Primary Completion Rate (%)		101.9

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization's analysis of statistics from Child Activity Survey, 2016. (6)

Figure 1. Working Children by Sector, Ages 5-14



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	Farming, including raising livestock (4,7,8)
	Fishing, including deep sea fishing, processing fish, and selling fish (7-10)
Industry	Manufacturing, including textiles and garments, and food processing (3,7,11)
	Mining† and construction, activities unknown (7,11,12)
Services	Domestic work (4,7,13)
	Vending, in stores and on the streets, transportation, and begging (4,7,9)
	Work in hotels, restaurants, and offices (7,12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including the production of pornography, sometimes as a result of human trafficking (1-4,14,15)
	Forced labor in domestic work, sometimes as a result of human trafficking (1,4)
	Use in illicit activities, including drug trafficking (4)

† 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.

Sri Lanka

MODERATE ADVANCEMENT

The 2016 Child Activity Survey's definition of child labor does not align with international standards because children ages 5–11 working less than 15 hours per week and children ages 12–14 working less than 25 hours per week in agriculture are not counted as child laborers. These issues may have led to an underestimation of the population of children in child labor in the Child Activity Survey. (7)

There are reports of children being trafficked internally, including from tea estates, to perform domestic work in Colombo. In addition, child domestic workers are subject to sexual, physical, and psychological abuse, non-payment of wages, and restrictions on movement. (1,4) Children, predominantly boys, are also forced into commercial sexual exploitation in tourist areas as part of the sex tourism industry. (1,4,15)

Although the government provides free education to all school children, some children in rural areas face barriers to accessing education, including difficulties traveling to school in some regions and an inadequate number of teachers. (4)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Sri Lanka 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 Sri Lanka's legal framework to adequately protect children from the worst forms of child labor, including protections for children engaged in domestic work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Sections 7, 9, 13 and 34 of the Employment of Women, Young Persons, and Children Act (16)
Minimum Age for Hazardous Work	Yes	18	Section 20A of the Employment of Women, Young Persons, and Children Act (16)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations Regulation No. 47 (16,17)
Prohibition of Forced Labor	Yes		Sections 358A, 360C, 360A(2), and 360A(4) of the Penal Code (18)
Prohibition of Child Trafficking	Yes		Sections 360C, 360A(2), and 360A(4) of the Penal Code (18)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 286A, 360B, 360A(2), and 360A(4) of the Penal Code (18)
Prohibition of Using Children in Illicit Activities	Yes		Sections 288, 288A, 288B, and 360C of the Penal Code (18)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Sections 20A and 31 of the Employment of Women, Young Persons, and Children Act; Section 2(xviii) of the Hazardous Occupations Regulation No. 47 (16,17)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		358(1)(d) of the Penal Code; Sections 20A and 31 of the Employment of Women, Young Persons, and Children Act; Section 2(xviii) of the Hazardous Occupations Regulation No. 47 (16-18)
Compulsory Education Age	Yes	16	Section 43 of the Education Ordinance; Compulsory Attendance of Children at Schools Regulation (19,20)
Free Public Education	Yes		Section 47 of the Education Ordinance (19)

* No conscription (21)

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. (16, 19,20) The hazardous work list is not comprehensive because it does not include domestic work, for which there is evidence that children are subject to abuse. (1) In 2018, the government adopted an amendment to the Hazardous Occupations Regulation to include domestic work and 24 additional activities prohibited for children. However, the revised list must be approved by the cabinet and adopted by parliament before becoming law. (4)

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 Department of Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor in the Ministry of Labor, Trade Union Relations, and Social Empowerment (MLTURSE)	Enforces child labor laws and receive public complaints of child labor filed in national and district-level offices. Refers cases involving the worst forms of child labor to the police and National Child Protection Authority (NCPA). (22) Conducts special investigations in relation to child labor through the Women and Children's Affairs Division. (4,23)
Children and Women's Bureau of the Sri Lankan Police (CWBSLP)	Enforces laws on child labor, child trafficking, commercial sexual exploitation of children, and the use of children in illicit activities. (4,22)
NCPA Special Police Investigation Unit	Investigates complaints involving children, including unlawful child labor. (4,23)
Department of Probation and Child Care Services	Coordinates services for child victims of forced labor, human trafficking, and commercial sexual exploitation who have been referred by the police and the court. (4)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Sri Lanka took actions to combat child labor (Table 6). However, gaps exist within the Department of Labor that may hinder adequate labor law enforcement, including the labor inspectorate's lack of authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$950,000 (4)	\$1,154,000 (4)
Number of Labor Inspectors	524 (11)	509 (4)
Inspectorate Authorized to Assess Penalties	No (11)	No (4)
Initial Training for New Labor Inspectors	Yes (11)	Yes (4)
Training on New Laws Related to Child Labor	N/A (11)	N/A (4)
Refresher Courses Provided	Yes (11)	Yes (4)
Number of Labor Inspections Conducted	49,907 (11)	91,000 (4)
Number Conducted at Worksite	Unknown (11)	Unknown (4)

Sri Lanka

MODERATE ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Number of Child Labor Violations Found	7 (10)	2 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	3 (10)	0 (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	0 (24)
Routine Inspections Conducted	Yes (11)	Yes (4)
Routine Inspections Targeted	Yes (11)	Yes (4)
Unannounced Inspections Permitted	Yes (11)	Yes (4)
Unannounced Inspections Conducted	Yes (11)	Yes (4)
Complaint Mechanism Exists	Yes (11)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (4)

In June 2018, the labor inspectorate conducted a series of child labor specific inspections across the country, covering 472 workplaces in the agriculture, services, and manufacturing sectors. (4)

However, the number of labor inspectors is likely insufficient for the size of Sri Lanka's workforce, which includes over 8.9 million workers. According to the ILO's technical advice of 1 inspector for every 15,000 workers in developing economies, Sri Lanka would employ about 596 labor inspectors. (25-27) While penalties were not imposed or collected for child labor violations during the reporting period, the Department of Labor did initiate legal actions and the cases are proceeding. (24)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Sri Lanka 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 the lack of information regarding violations found.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Unknown (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (4)
Refresher Courses Provided	Unknown	Yes (4)
Number of Investigations	Unknown	Unknown (24)
Number of Violations Found	Unknown	Unknown (4)
Number of Prosecutions Initiated	Unknown	Unknown (24)
Number of Convictions	Unknown	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (28)	Yes (4)

The Children and Women's Bureau of the Sri Lankan Police (CWBSLP) has branches in police stations throughout the country. (4) However, the CWBSLP faces a shortage of funds and resources that affects their ability to carry out their mandate. (24) The government does not publicly release information on its criminal law enforcement efforts. (4,24)

The CWBSLP also supervises the National Child Protection Authority (NCPA) Special Police Investigating Unit, which has approximately 40 police officers who investigate complaints involving children, including child labor. (4,10) In addition, the NCPA has approximately 300 child protection officers based in the districts who are tasked with preventing child exploitation and with victim protection. (4,22) In 2018, the NCPA conducted trainings for 2,770 criminal investigators and police officers on the prevention of child labor. (4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Coordinates efforts to eliminate child labor, including the implementation of the National Policy on Elimination of Child Labor in Sri Lanka. Chaired by the Secretary of the MLTURSE, includes representatives from key government agencies, employer and workers' organizations, ILO, UNICEF, and NGOs. (4,29) During the reporting period, the steering committee met once and subcommittees met regularly and took actions to implement strategies to eliminate child labor. (4)
National Child Protection Authority (NCPA)	Coordinates and monitors activities related to the protection of children, including activities to combat child labor. Consults with the relevant government ministries, local governments, employers, and NGOs, and recommends policies and actions to prevent, and protect children from, abuse and exploitation. (29) Conducted trainings for criminal law enforcement officials during the reporting period. (4)
National Anti-Trafficking Task Force	Coordinates inter-agency efforts to address all human trafficking issues, including commercial sexual exploitation and forced labor. Led by the Ministry of Justice and includes representatives from a range of government agencies, including the Ministry of Social Services, Ministry of Women and Child Affairs, Labor Secretariat, NCPA, Department of Probation and Child Care, Police Criminal Division, and Bureau for the Prevention of Abuse to Women and Children. (30,31) During the reporting period, increased coordination efforts through more frequent meetings. (1)
Child Development Committees	Coordinate activities and exchange information between child protection officers, police, and labor, education, and health officials at the village, division, and district level. Function in 25 districts and 313 divisions. (4) In 2018, labor inspectors were formally included in the committees and over 8,500 government officials attached to the committees were trained on the elimination of child labor. (4)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy on Elimination of Child Labor in Sri Lanka	Aims to mainstream child labor issues into national development policies, increase the minimum age for employment, promote the implementation of hazardous work regulations, strengthen capacity to enforce child labor laws, and maintain a complaint procedure. The MLTURSE is responsible for the implementation, monitoring, and reporting of the policy. (32) In 2018, MLTURSE and the Department of Labor drafted an Action Plan for the Implementation of the National Policy on Elimination of Child Labor (2018–2022) and plans to finalize and implement the action plan in 2019. (4,24)
Let's Protect Children	Presidential Secretariat program that seeks to monitor child protection policies implemented by the Ministries of Education, Health, and Labor. Aims to ensure child safety and physical and psycho-social development. (10) The policy was implemented during the reporting period. (4)
National Strategic Plan to Monitor and Combat Human Trafficking (2015–2019)	Seeks to combat human trafficking by raising stakeholder awareness, improving victim protection services, increasing prosecution of human trafficking cases, and conducting research and data collection. Seeks also to improve coordination among the Anti-Trafficking Task Force members. (31,33) Progress monitored during the reporting period. (34)
Decent Work Country Programme (2018–2022)†	Details the priorities and outcomes required to make progress toward the goal of decent work for all. Identifies key areas of work for the eradication of child labor by 2022, including: operationalize child labor free zone model in all districts; expand the inspection system to cover child labor in the informal sector; raise the minimum age for employment to 16 years; revise regulations on hazardous child labor; improve the complaints and referral mechanisms; and regularize data collection on child labor. (35)

† 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. (4,28,36,37)

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, which cover the main sectors where child labor has been identified in the country (Table 10).

MODERATE ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Labor Free Zone Model†	Local government initiatives that seek to eliminate child labor through the identification of children engaged in child labor; a rehabilitation program, assistance to families of children at risk of engaging in child labor; and an awareness-raising campaign. Operated by the district secretariats, with assistance from the MLTURSE, and with technical and financial support from the ILO. (11) In 2018, the ILO and the government developed guidelines for establishing child labor free zones and conducted trainings for district government officials and senior labor officials. District secretariats in all 25 districts developed work plans based on the child labor free zone model. (4)
'1929' Childline Sri Lanka†	NCPA-funded and operated 24-hour toll-free emergency telephone service for vulnerable and abused children. Connects children in need of help to direct assistance and rehabilitation services. (38) The hotline was operational during the reporting period. (4)
Shelter for Victims of Human Trafficking	The Ministry of Women and Child Affairs shelter provides children and female victims of human trafficking with safe shelter and access to medical, psychological, and legal assistance. (28,30) The shelter was operational during the reporting period. (4)
Country Level Engagement and Assistance to Reduce Child Labor (CLEAR)	USDOL-funded capacity-building project implemented by the ILO in 11 countries to build local and national capacity of governments to address child labor. In 2018, the project conducted 36 workshops at the division and district level to provide training to 3,162 government officials on the Child Labor Free Zones. (39) Additional information is available at the USDOL website.

† Program is funded by the Government of Sri Lanka.

In 2018, the government made efforts to address barriers to education for children living in remote and rural areas. It recruited new teachers and constructed new buildings for plantation schools. (4) The World Bank and the Sri Lanka Ministry of Education also launched a 5-year, \$100 million General Education Modernization Project that will promote access to education for children in difficult to reach geographies, including rural, plantation, and urban areas. (4,40)

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 Sri Lanka (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018
	Ensure that the hazardous occupations and activities prohibited to children are comprehensive, including domestic work.	2017 – 2018
Enforcement	Authorize the labor inspectorate to assess penalties for labor law violations.	2015 – 2018
	Publish information on the number of inspections conducted at worksites.	2014 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018
	Collect and publish information on criminal law enforcement actions, including on initial training for new investigators, and the number of investigations, violations, prosecutions, and convictions related to the worst forms of child labor.	2014 – 2018
	Provide additional funding for the CWBSLP to adequately investigate forced labor, child trafficking, and the commercial sexual exploitation of children.	2011 – 2018
Social Programs	Ensure that the definition of child labor used in national child labor surveys to calculate child labor statistics clearly aligns with international standards.	2017 – 2018
	Eliminate barriers to education, including difficulties with transportation to schools and an inadequate number of teachers.	2012 – 2018

REFERENCES

- 1 U.S. Department of State. Trafficking in Persons Report-2018: Sri Lanka. Washington, DC., June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/sri-lanka/>.
- 2 Social Policy Analysis and Research Center. The Commercial Sexual Exploitation of Children in Sri Lanka: A Rapid Assessment. August 2017. Source on file.
- 3 ILO Committee of Experts. Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Sri Lanka (ratification: 2001) Published: 2014. <http://www.ilo.org/dyn/normlex/en/f?>
- 4 U.S. Embassy-Colombo. Reporting. January 28, 2019.
- 5 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. <http://www.uis.unesco.org/pages/default.aspx?SPSLanguage=EN>. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 6 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Child Activity Survey, 2016. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 7 ILO and Department of Census and Statistics of Sri Lanka. Report on the Child Activity Survey 2016 - Sri Lanka. February 21, 2017. [http://www.statistics.gov.lk/samplesurvey/Child Activity Survey 2016.pdf](http://www.statistics.gov.lk/samplesurvey/Child%20Activity%20Survey%202016.pdf).
- 8 Perera, Melanie Manel. Child labour is another painful legacy of Sri Lanka's civil war. Asia News, June 17, 2015. <http://www.asianews.it/news-en/Child-labour-is-another-painful-legacy-of-Sri-Lanka's-civil-war-34538.html>.
- 9 Vinodani, H.H.W, and S.W. Amarasinghe. Exploitation of Child Labour in the Informal Sector of Sri Lanka's Rural Economy; A Sociological Study in the Devinuwara Divisional Secretariat Area. Proceedings of the 2nd International Conference on Humanities & Social Sciences. University of Ruhuna, 2017. https://www.researchgate.net/profile/Pannilage_Upali/publication/317661438_Avenues_Peace_Reconciliation_and_Development/links/5947987faca27242cda1cbe9/Avenues-Peace-Reconciliation-and-Development.pdf#page=184.
- 10 U.S. Embassy- Colombo official. Email communication to USDOL official. January 26, 2018.
- 11 U.S. Embassy- Colombo. Reporting. January 12, 2018.
- 12 Weerakoon, Ramesh and M.D.J.W. Wijesinghe. The Consequences of Child Labour in Sri Lanka. International Journal of Scientific and Technology Research Volume 6, Number 9. September 2017. <http://www.ijstr.org/final-print/sep2017/The-Health-Consequences-Of-Child-Labour-In-Sri-Lanka.pdf>.
- 13 Salary.lk, Wage Indicator 2018. Domestic Work in Sri Lanka. Accessed February 14, 2014. <http://www.salary.lk/home/labour-law/domestic-work-in-sri-lanka>.
- 14 Wijesiri, Lionel. Child-sex tourism ruins Sri Lanka's image. Daily News. August 1, 2016. <http://dailynews.lk/2016/08/01/features/89077>.
- 15 ECPAT International. Universal Periodic Review of Sri Lanka. March 18, 2017. <http://www.ecpat.org/wp-content/uploads/2017/09/2017---Sri-Lanka-UPR-Report.pdf>.
- 16 Government of Sri Lanka. Employment of Women, Young Persons and Children Act, No. 47 of 1956. Enacted: 2010. http://www.ilo.org/dyn/travail/docs/1651/Employment_of_Women5.pdf.
- 17 Government of Sri Lanka. Hazardous Occupations Regulations, 2010, No. 47. Enacted: August 17, 2010. http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=LKA&p_classification=04&p_origin=COUNTRY&p_sortby=SORTBY_COUNTRY.
- 18 Government of Sri Lanka. Penal Code. Enacted: January 1, 1885. <http://www.refworld.org/docid/4c03e2af2.html>.
- 19 Government of Sri Lanka. Education Ordinance. Enacted: 1939. http://www.commonlii.org/lk/legis/consol_act/e381147.pdf.
- 20 Government of Sri Lanka. Compulsory Attendance of Children at Schools Regulation No. 1 of 2015. Enacted: 2016. Source on file.
- 21 U.S. Embassy- Colombo. Reporting. December 30, 2016.
- 22 Government of Sri Lanka. U.S. Department of Labor's Findings on the Worst Forms of Child Labor Ministry of Labor and Trade Union Relations. March 23, 2016. Source on file.
- 23 Government of Sri Lanka. National Child Protection Authority Act, No. 50 of 1998. Enacted: 1998. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/52618/65161/E98LKA01.htm>.
- 24 U.S. Embassy- Colombo official. Email communication to USDOL official. February 14, 2019.
- 25 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy. November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <http://www.ilo.org/public/english/standards/reim/gb/docs/gb297/pdf/esp-3.pdf>.
- 26 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 27 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 28 IOM. Standard Operating Procedures (SOP) for the Identification and Protection of Trafficking Victims. 2015. Source on file.
- 29 National Child Protection Authority. Functions of the NCPA, Government of Sri Lanka [online]. 2015. <http://www.childprotection.gov.lk/about-us/functions-of-the-national-child-protection-authority/>.
- 30 U.S. Embassy- Colombo. Reporting. February 16, 2016.
- 31 Government of Sri Lanka. National Strategic Plan to Monitor and Combat Human Trafficking (2015-2019). Source on file.
- 32 Government of Sri Lanka. National Policy on Elimination of Child Labor in Sri Lanka. 2016. Source on file.
- 33 U.S. Embassy- Colombo. Reporting. March 3, 2014.
- 34 U.S. Embassy- Colombo. Reporting. March 6, 2019.
- 35 ILO. Decent Work Country Programme 2018-2022. Project Document, May 2018. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-colombo/documents/genericdocument/wcms_632743.pdf.
- 36 Government of Sri Lanka. The National Human Resources and Employment Policy for Sri Lanka. 2012. http://www.nhrep.gov.lk/images/pdf/nhrep_final.pdf.
- 37 Government of Sri Lanka. National Action Plan for the Protection and Promotion of Human Rights (2017-2021). http://www.pmooffice.gov.lk/download/press/D00000000063_EN.pdf
- 38 National Child Protection Authority. 1929 Childline Sri Lanka. Accessed January 13, 2017. http://www.childprotection.gov.lk/?page_id=291.
- 39 ILO. Country Level Engagement and Assistance to Reduce Child Labor. October 2018: Technical Progress Report. Source on file.
- 40 World Bank. Launch of the Sri Lanka General Education Modernization Project. October 22, 2018. <https://www.worldbank.org/en/news/speech/2018/10/19/project-launch-sri-lanka-general-education-modernization-project>

In 2018, Suriname made a moderate advancement in efforts to eliminate the worst forms of child labor. The government ratified International Labor Organization Convention 138 concerning the minimum age for admission to employment, acceded to the Protocol to the Forced Labor Convention, and amended the Law on Labor for Children and Young People, raising the minimum age of work to 16 years. In addition, the Interdepartmental Working Group on Trafficking in Persons presented the 2019 National Action Plan on Trafficking in Persons, the government published the results of the 2017 Child Labor Survey and created a referral mechanism between criminal law enforcement authorities and social services. However, children in Suriname engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in mining. Although the government made meaningful efforts in all relevant areas during the reporting period, prohibitions related to the use of children for illicit activities do not meet international standards. In addition, the compulsory education age does not reach the minimum age for employment, leaving some children more vulnerable to labor exploitation.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Suriname engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in mining. (1-4) Table 1 provides key indicators on children's work and education in Suriname. 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	6.4 (6,671)
Attending School (%)	5 to 14	95.8
Combining Work and School (%)	7 to 14	6.6
Primary Completion Rate (%)		89.2

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4, 2010. (6)

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	Harvesting crops, applying pesticides,† carrying heavy loads† (4) Fishing and forestry (7,8)
Industry	Mining, particularly gold mining (1,3,4,7,9) Construction,† including carrying heavy loads† (10)
Services	Street work, including vending (4) Domestic work (7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,7)

† 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.

Suriname

MODERATE ADVANCEMENT

Children in Suriname, mostly boys, work at carrying heavy loads in small-scale gold mines. These children risk exposure to mercury and cyanide, excessive noise, extreme heat, and collapsing sand walls. (1,4,9,10) Children, including children from Guyana, are subjected to commercial sexual exploitation in Suriname, sometimes as a result of human trafficking, including in informal mining camps in the country's remote interior. (2,4,7,10)

Although Suriname's net attendance ratio for primary school is 96 percent, it is only 53 percent for secondary school, and research indicates that secondary school attendance in the interior is as low as 21 percent. Children from low-income households, particularly in the interior, face difficulties accessing education due to long distances to schools, transportation costs, and school fees. (1,4,11,12) In 2018, school fees increased for both public and semi-private schools. (4)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Suriname has ratified most 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	✓

In January 2018, the government ratified ILO Convention 138 concerning the minimum age for employment. (13)

The Government of Suriname also signed accession to the Protocol of 2014 to the Forced Labor Convention of 1930, (No.29). (4)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Suriname's legal framework to adequately protect children from the worst forms of child labor, including the compulsory education age, which is below the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Articles 1 (j–l), 3 and 11 of the Children and Youth Persons Labor Act; Article 17 of the Labor Code (14,15)
Minimum Age for Hazardous Work	Yes	18	Articles 1 (k–l) and 11 of the Children and Youth Persons Labor Act; Article 1 of the Decree on Hazardous Labor for Youth (15,16)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2–3 of the Decree on Hazardous Labor for Youth; Article 11 of the Children and Youth Persons Labor Act (15,16)
Prohibition of Forced Labor	Yes		Article 15 of the Constitution; Article 334 of the Penal Code (17,18)
Prohibition of Child Trafficking	Yes		Articles 307 and 334 of the Penal Code (18)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 293, 303, and 306 of the Penal Code (18)
Prohibition of Using Children in Illicit Activities	No		

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 9 of the Legal Status of Military Personnel Act (19)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No	12	Article 39 of the Constitution; Article 20 of the Law on Basic Education (17,20)
Free Public Education	Yes		Articles 38–39 of the Constitution (17)

* No conscription (21)

In July 2018, in accordance with the Government of Suriname’s ratification of ILO Convention 138, the Suriname National Assembly approved and signed a new Law on Labor for Children and Young Persons, which raises the minimum age for work for children to age 16. (4,15)

Article 20 of the Law on Basic Education requires children to attend school until they are at least age 12. (22) This leaves children between ages 12 and 16 particularly vulnerable to the worst forms of child labor, because they are no longer required to attend school but are not yet legally permitted to work.

The Constitution guarantees free public education for all citizens, and the September 2014 amendment to the Citizenship and Residency Law granted citizenship to children born in Suriname of foreign-born parents. Sources indicate, however, that a small number of children born in Suriname to foreign parents before September 2014 remain ineligible to receive citizenship and free public education. (1,17,23)

The Penal Code establishes penalties for the production and trafficking of drugs, but it does not appear to specifically prohibit the use, procuring, and offering of a child in the production and trafficking of drugs. (18)

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 authority of the Ministry of Labor 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	Enforces laws related to child labor. (10)
Police	Enforce criminal laws related to child labor. (10) Include the Youth Affairs Police, which cover law enforcement involving children under age 18 and are jointly responsible for child labor-related crimes. In addition, include the Police Trafficking in Persons Unit, which investigates reports and allegations of human trafficking and forced sexual exploitation nationwide, including cases involving children. (24)
Prosecutor’s Office	Investigates and prosecutes human trafficking cases. (25)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Suriname took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor that may hinder adequate labor law enforcement, including targeted inspections in risk-prone sectors.

Suriname

MODERATE ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (10)	Unknown
Number of Labor Inspectors	73 (10)	73 (4)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (4)
Initial Training for New Labor Inspectors	Yes (10)	Yes (4)
Training on New Laws Related to Child Labor	N/A	Yes (4)
Refresher Courses Provided	Yes (10)	Yes (4)
Number of Labor Inspections Conducted	Unknown (10)	Unknown
Number Conducted at Worksite	0 (10)	Unknown
Number of Child Labor Violations Found	0 (10)	0 (26)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (10)	N/A (4)
Number of Child Labor Penalties Imposed that Were Collected	N/A (10)	N/A (26)
Routine Inspections Conducted	Yes (10)	Yes (4)
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Yes (10)	Yes (4)
Unannounced Inspections Conducted	Yes (10)	Yes (4)
Complaint Mechanism Exists	Yes (10)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (10)	No (4)

The government does not collect or publish data on child labor inspections and violations. Labor inspections are mainly conducted near coastal areas, and the Ministry of Labor noted that there is an insufficient number of labor inspectors to ensure the enforcement of labor laws, particularly in mining and agricultural areas, fisheries, and the country's interior. (1, 10, 21, 27, 28) There are no dedicated child labor inspectors; however, all labor inspectors are trained and authorized to enforce child labor laws. (4)

Although the Ministry of Labor does not provide funding information, it did report that its funding is insufficient to adequately cover all sectors in the country, including the formal and informal sectors. In addition, high-risk sectors are not specifically targeted because labor inspectors mainly conduct routine inspections in the formal sectors, which have lower incidences of child labor. (4)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Suriname 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 allocation of financial and human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (10)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (10)	N/A (4)
Refresher Courses Provided	Yes (10)	Yes (4)
Number of Investigations	4 (10)	Unknown
Number of Violations Found	3 (10)	1 (29)
Number of Prosecutions Initiated	8 (10)	0 (29)
Number of Convictions	2 (10)	7 (30)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (10)	Yes (4)

During the reporting period, authorities reported a sex trafficking case involving a minor found working in a massage salon; the case is still under investigation. (30) Furthermore, there were seven child trafficking

convictions secured during 2018, with sentences ranging from 1 to 5 years. UNODC provided trafficking in persons training to 34 criminal law enforcement officials. (31) Additional human trafficking training was also given to all new police recruits, and Surinamese authorities also received training from the Brazilian Police Attaché. (30)

The Ministry of Justice and Police established a referral mechanism to assist human trafficking victims, including children, to the Bureau of Victim Services for shelter, medical services, and access to social workers, and to the Bureau for Legal Aid for legal assistance. (4)

The number of investigators is insufficient to respond to human trafficking cases and, according to the Prosecutor's Office, investigations are initiated only as a result of complaints filed and are limited by a lack of resources, especially for travel to the interior of the country. (10,27,32-34) When the Youth Affairs Police find children working on the street, these children are sometimes registered and sent home without referrals to any relevant services. (10,24,34)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
National Commission on Combatting Child Labor	Coordinates and monitors efforts to combat child labor. Serves as the leading body in drafting child labor policies, conducting research on child labor, and conducting research on the social economic circumstances of children involved in child labor. (4) In 2018, began drafting the National Action Plan on the Elimination of Child Labor. (4)
Trafficking in Persons Working Group	Coordinates the government's anti-human trafficking efforts. Provides care to victims of human trafficking through government-supported NGOs. (24) Comprising nine government agencies. (10) Includes organizations that target the worst forms of child labor, such as the commercial sexual exploitation of children. (24) In 2018, drafted the National Action Plan for the Prevention and Response to Trafficking in Persons and launched a nationwide awareness campaign on human trafficking. (30)
Integrated Child Protection Network	Led by the Ministry of Social Affairs and includes the Ministry of Foreign Affairs, Ministry of Justice and Police, Office of the First Lady, National Assembly, and NGO stakeholders, with support from UNICEF. (10) In 2018, the Network established a technical commission that meets monthly and is working to address child protection issues, including drafting a referral system between government and social services and a data collection system to record reported cases, in addition to providing training to service providers. (4)

Although the National Commission on Combatting Child Labor had been inactive since 2014, it was reestablished and active during the reporting year. (4)

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 implementing a national child labor action plan.

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap to Combat Human Trafficking in Suriname (2014–2018)	Outlined a policy to combat human trafficking through 2018. (33)
National Action Plan for the Prevention and Response to Trafficking in Persons (2019)†	Aims to combat and prevent human trafficking, including through the prevention, protection, and reintegration of victims, and the prosecution of perpetrators of trafficking in persons. (35)

† Policy was approved during the reporting period.

In November 2018, the government completed consultations on the draft of the National Action Plan to Combat Child Labor, which is awaiting approval from the Council of Ministers. (4,36)

Although research found no evidence that the Roadmap to Combat Human Trafficking in Suriname was implemented in 2018, the Ministry of Justice and Police used the Roadmap as a base to draft the government's National Action Plan for the Prevention and Response to Trafficking in Persons. (4)

Suriname

MODERATE ADVANCEMENT

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that include the goal of eliminating child labor (Table 10). However, gaps exist in these social programs, including services for child victims of human trafficking and commercial sexual exploitation.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Country-Level Engagement and Assistance to Reduce Child Labor (2013–2019)	USDOL-funded capacity-building project implemented by ILO in 11 countries to build local and national capacity of governments to address child labor. In Suriname, aims to improve monitoring and enforcement of laws and policies related to child labor and implement a National Action Plan on the elimination of child labor. (37) In 2018, the project supported the finalization of the Suriname Child Labor Survey, which was published in January 2019. (4) Additional information is available on the USDOL website.
Regional Initiative School to Work Transition Program	Regional Initiative Latin America and the Caribbean Free of Child Labor program, with support from the Cooperation Agency of Brazil and ILO, to assist Caribbean countries, including Suriname, to improve youth transition from school to work. (10,38) Active in 2018. (4)
Child and Youth Hotline†	Government-run hotline that provides confidential advice to children in need, including victims of the worst forms of child labor. (33) Receives approximately 80 calls per day. (32) Active in 2018. (29)
Anti-Trafficking Hotline†	Government-sponsored hotline through which citizens can provide information to the police about human trafficking cases. (33) Although the Anti-Trafficking hotline was inactive during 2018, it was re-established in January 2019 with a simplified number; calls are directed to Trafficking in Persons Unit. (39)
Human Trafficking Awareness Program†	Government-funded anti-human trafficking awareness campaign for press, radio, television, internet, and social media. (22,24,25) In 2018, the Police's Trafficking in Persons Unit trained 100 government officials on awareness, identification, and management of human trafficking cases. (3,29)
Second Basic Education Improvement Program (2015–2040)	\$20 million IDB-funded, 25-year loan implemented by the Ministry of Education to develop curriculums and textbooks, provide teacher training, renovate classrooms, build housing for teachers in the interior, and build a center for teacher training and professional development. Aims to benefit 90,000 students and 6,500 teachers. (25,40) Active in 2018. (4)

† Program is funded by the Government of Suriname.

The government continues to support initiatives to eradicate child labor, but existing social programs are inadequate to fully address the problem. In particular, Suriname lacks programs to assist child victims of human trafficking and commercial sexual exploitation, as well as children who work in mining and agriculture. (10, 11)

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 Suriname (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the use, procuring, and offering of a child for illicit activities, including in the production and trafficking of drugs.	2015 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2018
	Increase the compulsory education age to at least age 16, the minimum age for work.	2009 – 2018
	Ensure that all children, including children of foreign-born parents, have access to free public education.	2015 – 2018
Enforcement	Publish information on labor law enforcement efforts, including the labor inspectorate's funding, the number of inspections and investigations conducted, the number of inspections conducted at worksites, and whether routine inspections are targeted.	2012 – 2018
	Strengthen the labor inspectorate by initiating targeted inspections based on the analysis of data related to risk-prone sectors and patterns of serious incidents, such as in fisheries and the interior of the country, particularly in mining and agricultural areas in which child labor is likely to occur.	2015 – 2018
	Allocate sufficient funding to ensure that criminal law enforcement officers have the resources necessary to conduct investigations, particularly in the interior of the country and informal mining areas.	2014 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Create a formal mechanism to refer victims of child labor, identified by labor or criminal enforcement authorities to the appropriate social services, including children found working on the streets by the Youth Affairs Police.	2010 – 2018
	Ensure that the labor inspectorate is sufficiently funded to cover labor inspections in both the formal and informal sectors of the labor force.	2018
	Impose penalties for convictions related to the worst forms of child labor.	2018
Government Policies	Ensure the National Action Plan on the Elimination of Child Labor is approved and adopted.	2015 – 2018
Social Programs	Develop social programs to prevent and eradicate child labor in agriculture and mining and to improve secondary school attendance, particularly in the interior.	2015 – 2018
	Strengthen social services to assist child victims of commercial sexual exploitation and human trafficking.	2014 – 2018

REFERENCES

- UN Human Rights Council. Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21: Suriname. Geneva, March 7, 2016: Report No. A/HRC/WG.6/25/SUR/2. <https://www.refworld.org/pdfid/572852d74.pdf>.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Suriname (ratification: 2006) Published: 2015. Accessed December 8, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3174278:YES.
- U.S. Department of State. Trafficking in Persons Report- 2018: Suriname. Trafficking in Persons Report- 2018: Suriname. June 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/suriname/>.
- U.S. Embassy- Paramaribo. Reporting. January 18, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2018. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys Analysis received January 12, 2018. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- UN Committee on the Rights of the Child. Concluding observations on the combined third and fourth periodic report of Suriname. Geneva, September 30, 2016: Report No. CRC/C/SUR/CO/3-4. [http://tbinternet.ohchr.org/Treaties/CRC/Shared Documents/SUR/CRC_C_SUR_CO_3-4_25465_E.pdf](http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/SUR/CRC_C_SUR_CO_3-4_25465_E.pdf).
- ILO. Suriname Child Labour Survey 2017. ILO, Research Institute for Social Sciences. November 2018. Source on file.
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Suriname (ratification: 2006) Published: 2015. Accessed December 8, 2015. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3174281:YES.
- U.S. Embassy- Paramaribo. Reporting. January 10, 2018.
- ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Suriname (ratification: 2006) Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3289947:YES.
- UNICEF Data. Suriname. Accessed May 9, 2019. <https://data.unicef.org/country/sur/>.
- ILO NATLEX National Labor Law Database. Ratifications for Suriname. Accessed: March 20, 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200::P11200_COUNTRY_ID:103287.
- Government of Suriname. Labor Code. Enacted: 1963. http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/83483/114796/F-959075778/SUR83483_Dut_2001.pdf.
- Government of Suriname. Children and Youth Persons Labor Act. July 23, 2018. Source on file.
- Government of Suriname. Decree on Hazardous Labor for Youth. Enacted: 2010. Source on file.
- Government of Suriname. 1987 Constitution with Reforms of 1992. Enacted: 1992. Source on file.
- Government of Suriname. Penal Code. Enacted: October 14, 1910, and Amended: March 30, 2015. http://www.dna.sr/media/19210/wetboek_van_strafrecht.pdf.
- U.S. Embassy- Paramaribo official. Email communication to USDOL official. April 28, 2015.
- Government of Suriname. Basic Education Law. Enacted: September 22, 1960. Source on file.
- U.S. Embassy- Paramaribo. Reporting. February 9, 2016.
- U.S. Embassy- Paramaribo official. Email communication to USDOL official. June 4, 2014.
- U.S. Embassy- Paramaribo official. Email communication to USDOL official. May 31, 2016.
- U.S. Embassy- Paramaribo. Reporting. January 21, 2014.
- U.S. Embassy- Paramaribo. Reporting. January 22, 2016.
- U.S. Embassy Paramaribo official. Email communication to USDOL official. May 21, 2019.
- U.S. Embassy- Paramaribo. Reporting. January 12, 2017.
- ILO-IPEC. Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor Global Project. April 2015: Technical Progress Report. Source on file.
- U.S. Embassy- Paramaribo official. Email communication with USDOL official. March 22, 2019.
- U.S. Embassy- Paramaribo. Reporting. March 6, 2019.
- U.S. Embassy- Paramaribo official. Email communication to USDOL official. July 5, 2019.
- U.S. Embassy- Paramaribo official. Email communication to USDOL official. April 17, 2017.
- U.S. Embassy- Paramaribo. Reporting. January 20, 2015.
- U.S. Embassy- Paramaribo. Reporting. February 20, 2015.
- Government of Suriname. National Action Plan for the Prevention and Response of Trafficking in Persons. Interdepartmental Working Group Trafficking in Persons. January 2019. Source on File.
- U.S. Embassy- Paramaribo official. Email communication with USDOL official. May 10, 2019.

Suriname

MODERATE ADVANCEMENT

- 37 U.S. Embassy- Paramaribo official. Email communication to USDOL official. January 19, 2017.
- 38 ILO. Regional Initiative, Latin America and the Caribbean Free of Child Labour: ILO background paper No. 3, 2017.
http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-port_of_spain/documents/meetingdocument/wcms_543801.pdf.
- 39 U.S. Embassy- Paramaribo official. Email communication to USDOL official. July 9, 2019.
- 40 Inter-American Development Bank. Suriname will continue its education reforms with IDB support. December 4, 2015.
<http://www.iadb.org/en/news/news-releases/2015-12-04/suriname-will-continue-its-education-reforms,11350.html>.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2018, The United Republic of Tanzania made a minimal advancement in efforts to eliminate the worst forms of child labor. The government made efforts by establishing a new National Child Labor Policy and continuing to support the Tanzania Social Action Fund Conditional Cash Transfer Program, planning Phase IV for launch in 2019. However, despite these initiatives to address child labor, Tanzania continued to implement a practice that delayed advancement in eliminating the worst forms of child labor. The Mainland Government explicitly supports the routine expulsion of pregnant students from public schools, making them more vulnerable to the worst forms of child labor. Children in Tanzania engage in the worst forms of child labor, including in mining, quarrying, and domestic work. Children also perform dangerous tasks in agriculture. Other gaps remain in the legal framework and enforcement of laws related to child labor, including protections for child engagement in illicit activities and domestic work; the lack of authorization for the labor inspectorate to assess penalties; and the likely insufficient number of labor inspectors for the size of Tanzania’s labor force.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Tanzania engage in the worst forms of child labor, including in mining, quarrying, and domestic work. (1-4) Children also perform dangerous tasks in agriculture. (2,3) Table I provides key indicators on children’s work and education in Mainland Tanzania.

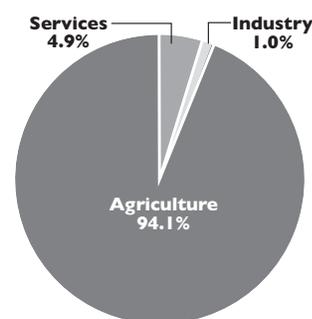
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	29.3 (3,573,467)
Attending School (%)	5 to 14	74.3
Combining Work and School (%)	7 to 14	24.6
Primary Completion Rate (%)		58.4

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization’s analysis of statistics from Tanzania National Child Labour Survey, 2014. (2,6)

Figure I. Working Children by Sector, Ages 5-14



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	Plowing, weeding, harvesting, and processing crops including coffee, sisal, tea, tobacco, and cloves (1-3,6-11)
	Seaweed farming (1,12)
	Production of sugarcane† (8)
	Livestock herding, including tending cattle (4,7,13)
	Fishing,† including for Nile perch (2,4,9,12-14)
Industry	Quarrying† stone and breaking rocks to produce gravel (1,2,13)
	Mining,† including gold and tanzanite, and using mercury (2-5,7,9,12,15-20)
	Manufacturing† (8,9,12)
	Construction,† including digging, drilling, carrying bricks,† bricklaying, and assisting masons (7,8,12,13)

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Domestic work,† including child care,† cooking, and washing† (2,7,13,21-23)
	Garbage collecting† (9)
	Street work, including vending,† shoe shining, small business, and scavenging† (7,9)
	Work as barmaids† (24)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,4,7,9,12,13,25,26)
	Forced begging (27)
	Forced labor in domestic work, agriculture, mining, fishing, commercial trading, quarrying, shining shoes, pushing carts, and working in factories and bars, each sometimes as a result of human trafficking (3,13,25-29)

† 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.

The United Republic of Tanzania consists of Mainland Tanzania and the semi-autonomous Zanzibar Archipelago. Mainland Tanzania and Zanzibar have separate laws and regulations governing child labor and are presented separately in this report when information differs between them.

Tanzania is a source, transit, and destination country for child trafficking for forced labor and commercial sexual exploitation. Child trafficking is often facilitated by victims’ family members, friends, or intermediaries who promise assistance or employment. (4,13,26,30) Girls are often subject to child trafficking, including for domestic work or commercial sexual exploitation; this frequently occurs along the Kenyan border and in tourist, mining, and construction areas, including “megaproject” sites. (4,26,28,31) Although most children are victims of domestic human trafficking, children from Burundi and Rwanda are also subject to child trafficking into Tanzania for forced labor. (4,32) Impoverished rural children and those orphaned by HIV/AIDS are particularly vulnerable. (4,13,30,33)

Children working in mining are exposed to many hazards, such as mercury poisoning and being trapped when tunnels collapse, especially in smaller unlicensed operations. (19,20,34)

Families are often required to pay for books, uniforms, and school lunches, at costs that are prohibitive for some families. (3,35-37) These barriers can reduce children’s access to school and increase their vulnerability to child labor.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Tanzania 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 Tanzania’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work, access to public education, the compulsory education age, and prohibition of using children in illicit activities.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Table 4. Laws and Regulations on Child Labor

Standard	Related Entity	Meets International Standards	Age	Legislation
Minimum Age for Work	Mainland	No	14	Article 5 of the Employment and Labor Relations Act; Article 77 of the Law of the Child Act (38,39)
	Zanzibar	No	15	Article 6 of the Zanzibar Employment Act; Articles 2 and 98 of the Zanzibar Children's Act (40,41)
Minimum Age for Hazardous Work	Mainland	Yes	18	Article 5 of the Employment and Labor Relations Act; Article 82 of the Law of the Child Act (38,39)
	Zanzibar	Yes	18	Articles 8–9 of the Zanzibar Employment Act; Article 100 of the Zanzibar Children's Act (40,41)
Identification of Hazardous Occupations or Activities Prohibited for Children	Mainland	Yes		Article 5 and First Schedule of Regulations of the Employment and Labor Relations Act; Article 82 of the Law of the Child Act; List of Hazardous Child Labor (8,34,38,39)
	Zanzibar	Yes		Articles 8–9 of the Zanzibar Employment Act; Article 100 of the Zanzibar Children's Act (40,41)
Prohibition of Forced Labor	Mainland	Yes		Article 25 of the Constitution; Article 80 of the Law of the Child Act; Article 6 of the Employment and Labor Relations Act; Article 4 of the Anti-Trafficking in Persons Act (38,39,42,43)
	Zanzibar	Yes		Article 7 of the Zanzibar Employment Act; Article 102 of the Zanzibar Children's Act (40,41)
Prohibition of Child Trafficking	Mainland	Yes		Article 4 of the Anti-Trafficking in Persons Act (43)
	Zanzibar	Yes		Articles 6–7 of the Zanzibar Employment Act; Article 106 of the Zanzibar Children's Act (40,41)
Prohibition of Commercial Sexual Exploitation of Children	Mainland	Yes		Article 138.2.b of the Sexual Offences Special Provisions Act; Article 4 of the Anti-Trafficking in Persons Act (43,44)
	Zanzibar	Yes		Article 155 of the Penal Code of Zanzibar; Article 110 of the Zanzibar Children's Act (40,45)
Prohibition of Using Children in Illicit Activities	Mainland	No		
	Zanzibar	Yes		Article 7.2.c of the Zanzibar Employment Act (41)
Minimum Age for Voluntary State Military Recruitment		Yes	18	Article 29 of the National Defense Act (46)
Prohibition of Compulsory Recruitment of Children by (State) Military		N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups		No		
Compulsory Education Age	Mainland	Yes	14‡	Article 35 of the National Education Act (35)
	Zanzibar	No	13	Legislation not found.
Free Public Education		No		

* No conscription (46)

‡ Age calculated based on available information (35)

Mainland Tanzania and Zanzibar's non-union matters are governed by distinct territorial jurisdictional laws, leaving each territory to determine its own child labor laws. (1,42) The minimum age for work laws in Mainland Tanzania and Zanzibar do not meet international standards because they do not extend to all working children, including children engaged in domestic work. (38,40,41) Mainland Tanzania's hazardous work list for children does not specify weeding and processing as activities that are dangerous agricultural tasks in the production of tobacco, cloves, coffee, sisal, and tea. (8,34,38-41) In addition, Mainland Tanzania does not clearly provide penalties for using children for illicit activities, including in the production and trafficking of drugs. Zanzibar prohibits the use of children for illicit activities, including the production and trafficking of drugs. (40,41)

A practice that may contribute to children being left out of the formal education system stems from Mainland Tanzania's Education Act of 1978, which allows the Ministry of Education to conduct medical examinations on

Tanzania

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

students. This law, in combination with the Mainland’s 2002 Education Regulations (Expulsion and Exclusion of Pupils from Schools), allows for the academic expulsion of students for moral offenses, enabling schools to force students to undergo pregnancy tests and expel them if they are pregnant, thereby increasing their vulnerability to child labor. (35,47-51) Although pregnant girls are more at risk of expulsion, boys who are found to be sexually active are also expelled from school. (32)

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 with the authority of the labor ministries of Mainland Tanzania and Zanzibar that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Related Entity	Role
Minister of State in the Prime Minister’s Office for Policy, Parliamentary Affairs, Labor, Employment, Youth, and the Disabled	Mainland	Enforces child labor laws. Assigns area labor officers to each region to respond to reports of child labor violations, issues non-compliance orders, and reports incidents to police and the Ministry of Health and Social Welfare. (1) Through its Labor Administration and Inspection Section, provides legal guidance upon request, disseminates information to employers and employees on their rights and obligations, and helps area offices conduct labor inspections. (52)
Ministry of Health, Community Development, Gender, Elders, and Children	Mainland	Enforces child protection laws and regulations, and health and social welfare policies. Employs officers to monitor child labor at the district and village levels, and reports findings to the President’s Office of Regional Administration and to local governments. Promotes community development, gender equality, and children’s rights by formulating policies, strategies, and guidelines in collaboration with stakeholders. (52)
Ministry of Home Affairs	Mainland	Enforces anti-trafficking laws, including child trafficking, and laws prohibiting commercial sexual exploitation of children and the use of children in illicit activities. Chairs the Anti-Trafficking Committee. (52)
Ministry of Empowerment, Adults, Youth, Women and Children	Zanzibar	Ensures compliance with child protection and child labor laws, including inspections, through its Child Protection Unit. (52) Following a merger with the Ministry of Labor, Economic Empowerment and Cooperatives, investigates child labor cases reported by the police and refers cases to social welfare officers. (53)
Ministry of Health	Zanzibar	Enforces anti-trafficking laws, including cases of child trafficking. (52)
Tanzania Police Force	Mainland and Zanzibar	Investigates cases of child labor and other forms of child endangerment reported to police stations; in some cases, refers cases to labor officers or seeks assistance from social welfare officers and the Office of the Director of Public Prosecutions to take legal action. Includes a Human Trafficking desk, and Gender and Children’s desks to handle cases pertaining to children. (28,52,54)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Tanzania took actions to combat child labor (Table 6). However, gaps exist in the authority of the labor ministries and in the execution of their mandates that may hinder adequate labor law enforcement, including the authority to assess penalties, and the lack of publicly available enforcement data.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	Related Entity	2017	2018
Labor Inspectorate Funding	Mainland	Unknown (48)	Unknown (3)
	Zanzibar	\$26,818† (48)	\$28,193 (3)
Number of Labor Inspectors	Mainland	95 (48,55)	79 (3)
	Zanzibar	11 (48)	20 (3)
Inspectorate Authorized to Assess Penalties	Mainland	No (48)	No (3)
	Zanzibar	No (48)	No (3)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	Related Entity	2017	2018
Initial Training for New Labor Inspectors	Mainland	Unknown (48)	Unknown (3)
	Zanzibar	No (48)	No (3)
Training on New Laws Related to Child Labor	Mainland	Unknown (48)	N/A
	Zanzibar	No (48)	N/A
Refresher Courses Provided	Mainland	Yes (48)	Unknown (3)
	Zanzibar	No (48)	Yes (3)
Number of Labor Inspections Conducted	Mainland	2,237 (48)	Unknown (3)
	Zanzibar	228 (48)	360 (3)
Number Conducted at Worksite	Mainland and Zanzibar	2,465 (48)	Unknown (3)
Number of Child Labor Violations Found	Mainland	Unknown (48)	Unknown (3)
	Zanzibar	0 (48)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Mainland and Zanzibar	Unknown (48)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Mainland and Zanzibar	Unknown (48)	Unknown (3)
Routine Inspections Conducted	Mainland	Yes (48)	Yes (3)
	Zanzibar	Unknown (48)	Yes (3)
Routine Inspections Targeted	Mainland	Yes (48)	Yes (3)
	Zanzibar	Unknown (48)	Yes (3)
Unannounced Inspections Permitted	Mainland	Yes (48)	Yes (3)
	Zanzibar	Yes (48)	Yes (3)
Unannounced Inspections Conducted	Mainland	Yes (48)	Yes (3)
	Zanzibar	Unknown (48)	Yes (3)
Complaint Mechanism Exists	Mainland and Zanzibar	Yes (48)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Mainland	Yes (48)	Yes (3)
	Zanzibar	Unknown (48)	Yes (3)

† Data are from July 1, 2017 to December 31, 2017.

Despite regulations requiring that one or more labor officers be assigned to each region, research was unable to determine whether this was followed during the reporting period. (3,56) The number of labor inspectors is likely insufficient for the size of Tanzania's workforce, which includes nearly 25 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in least developed economies, Tanzania would employ about 622 inspectors. (57,58)

The government did not provide information on its labor inspectorate funding, training, number of labor inspections conducted, or number of child labor violations found for inclusion in this report; however, in previous years, inspections in Mainland Tanzania were carried out in sectors such as agriculture, mining, domestic work, hotels, trade, industry and commerce, construction, and fishing. (7) Exact figures on labor inspectorate funding remain unavailable; nevertheless, research indicates that NGOs noted that labor enforcement efforts could benefit from additional funding and increased numbers of inspections. (52)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Tanzania 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 the collection and availability of enforcement statistics.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	Related Entity	2017	2018
Initial Training for New Criminal Investigators	Mainland	N/A (55)	No (3)
	Zanzibar	N/A (55)	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	Mainland	Yes (48)	N/A
	Zanzibar	No (48)	N/A
Refresher Courses Provided	Mainland	No (55)	Unknown(3)
	Zanzibar	No (55)	Yes (3)
Number of Investigations	Mainland	Unknown (48)	Unknown(3)
	Zanzibar	0 (48)	0 (3)
Number of Violations Found	Mainland	Unknown (48)	Unknown (3)
	Zanzibar	0 (48)	0 (3)
Number of Prosecutions Initiated	Mainland	Unknown (48)	Unknown (3)
	Zanzibar	0 (48)	0 (3)
Number of Convictions	Mainland	Unknown (48)	Unknown (3)
	Zanzibar	0 (48)	0 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor		Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Mainland	Yes (48)	Yes (3)
	Zanzibar	Unknown (48)	Yes (3)

In June, the UNODC trained 21 law enforcement officials, including immigration and prison officials, on data collection and other skills needed to address trafficking in persons cases. (26) The government did not provide information on the number of investigations undertaken, the number of prosecutions initiated, or the number of convictions for inclusion in this report.

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 inactive coordinating bodies.

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

Coordinating Body	Related Entity	Role & Description
National Education Task Force on Child Labor	Mainland and Zanzibar	Reviews education sector policies and existing laws, regulations, and strategies related to children's issues, including the National Action Plan. Reviews existing curriculum and programs, identifies gaps, and suggests strategies to resolve barriers to accessing education. (9,59) Research was unable to determine whether the National Education Task Force on Child Labor was active during the reporting period.
Zanzibar Child Labor Steering Committee	Zanzibar	Coordinates various implementing agencies responsible for child labor and provides policy guidance on the Zanzibar National Action Plan to Combat Child Labor. (52) Chaired by Zanzibar's Ministry of Empowerment, Adults, Youth, Women and Children. (56) Research was unable to determine whether the Child Labor Steering Committee was active during the reporting period.
National Protection Steering Committee	Mainland and Zanzibar	Provides overall policy guidance and coordination at the national and local levels of the National Plan of Action to End Violence Against Women and Children (NPA-VAWC) through the merger of the National Inter-Sectoral Coordination Committee and the Multi-Sector Task Force on Violence Against Children. (53,54) Operates the NPA-VAWC National Protection Technical Committee and Thematic Working Groups at the national level. Merge pre-existing committees at the regional and district levels, focusing on violence prevention and response, including the Child Labor Committees, Gender-Based Violence Committees, District Child Protection Teams, and Most Vulnerable Children Committees. (52,54) Research was unable to determine whether the National Protection Steering Committee was active during the reporting period.
National Anti-Trafficking Committee (ATC) and National Anti-Trafficking Secretariat (ATS)	Mainland and Zanzibar	Promotes, defines, and coordinates policy to prevent human trafficking through engagement with local NGOs. (28,30,43,53) Chaired by the Ministry of Home Affairs, includes representatives from the Prime Minister's Office for Policy, Parliamentary Affairs, Labor, Employment, Youth, and the Disabled. (56) In 2018, ATC and ATS reviewed and updated the National Action Plan, operated with a budget of \$45,000, and, with the help of UNODC, held a 3-day workshop for judges and magistrates on the prosecution of human trafficking cases. (26)

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 lack of effort related to ongoing policy implementation.

Table 9. Key Policies Related to Child Labor

Policy	Related Entity	Description
National Strategy for Child Labor (2018–2023) [†]	Mainland and Zanzibar	Coordinates policy on child labor at the national level, and was provided with a \$4.8 million budget for the duration of project. Drafted with support from ILO. (3) In 2018, the government adopted this policy, but did not begin implementation. (60)
National Plan of Action to End Violence Against Women and Children in Tanzania (NPA-VAWC) (2017–2022)	Mainland and Zanzibar	Prevents and responds to all forms of violence against women and children through comprehensive multi-sectoral collaboration at all levels and combining eight national action plans. (54) The renewed plan details responsible agencies to address multiple challenges, including education and poverty reduction. (52) The government allocated \$5.72 million for fiscal year 2017–2018, but did not provide details on how the allocation was spent. In 2018, research has been unable to confirm that the plan has been implemented. (3,9,52,55)
Zanzibar Education Policy of 2006	Zanzibar	Recommends formal education through the approximate age of 15. In 2018, research indicated that there were issues with implementation of this policy due to issues of quality, equity, and access. (31,61,62)

[†] 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. (52,53,63)

Tanzania does not have a law requiring free public education, but it does have an education policy that allows children to attend primary school and lower secondary school without paying tuition fees. Furthermore, the government regulates access to secondary education through the Primary School Leaving Examination. In Mainland Tanzania, students who do not pass the exam do not have an opportunity to re-take the exam and must drop out of public school. (53) Despite the government's intention to phase out the exam by 2021, there is no evidence of government efforts or preparations to do so. (47,53,55) The compulsory education age for children in Mainland Tanzania is approximately 14 as determined by law. In 2006, Zanzibar adopted and began implementing the Zanzibar Education Policy, which establishes compulsory education through Form 4, which is approximately age 15. (62,64) However, reporting suggests that implementation of this policy has been slow due to limited resources for schools and the economic burdens on families to financially contribute to post-primary education. More than half of children in Zanzibar leave the formal education system below the minimum age for work, leaving them at increased risk for child labor. (31,60,61)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that may contribute to eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the scope and implementation of programs in all relevant sectors, including the construction, service and informal sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Global Research on Child Labor Measurement and Policy Development	USDOL-funded research project implemented by ILO in 10 countries to increase the knowledge base related to child labor by collecting new data, analyzing existing data, and building the capacity of the government to conduct research in this area. Additional information is available on the USDOL website.
Promoting Sustainable Practices to Eradicate Child Labor in Tobacco (PROSPER) Umoja (Unity) (2018–2020)*	\$900,000 extension project of PROSPER Plus funded by the Eliminating Child Labor in Tobacco-Growing Foundation and implemented by Winrock International, Tanzania Association of Women Leaders in Agriculture and the Environment, and Tabora Development Foundation Trust. Aims to bring together public and private sectors to reduce child labor on a nationwide scale, focusing in Kaliua, Sikonge, Tabora, and Urambo. (3,52,65) In November 2018, the program expanded to Mbeya and Songwe regions, providing 500 scholarships to children ages 5 to 14. (60)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Eradicating the Worst Forms of Labor in the Eight Mining Wards of the Geita District, Phase 2 (2015–2019)	\$2 million EU-funded, 3-year project implemented by Plan International Tanzania to enhance social protection mechanisms to prevent and improve awareness of child labor among children, parents, and mining employers near Chato, Geita, and Nywangwale. (3,48) Cumulative figures report that by 2018, 6,550 community members and about 5,500 small-scale unregistered miners received awareness-raising messages on child protection and the effects of child labor. (3)
Tanzania Social Action Fund Conditional Cash Transfer Program, Phase III (2012–2018)†	Government-funded conditional cash transfer program to provide financial assistance to vulnerable populations, including children. USDOL-funded study conducted on the program reported increased school enrollment and reduced forced child migration and child labor. (48) In 2018, research reports that the program is moving to implement Phase IV, running from 2019 to 2023. The first transfer targets 300,000 poor households and is scheduled for July 1, 2020. (3,60)
Decent Work Country Program (DWCP)	ILO-supported program with four objectives: (a) create jobs, (b) guarantee rights at work, (c) extend social protection, and (d) promote social dialogue. Outcomes include an improved operational environment for the elimination of child labor and its worst forms. (48,52) During the reporting period, DWCP carried out five trainings for government labor inspectors to enhance the capacity to carry out inspections on farms and in industries, primarily tobacco. (60)
Achieving Reduction of Child Labor in Support of Education (ARISE)	Joint initiative of ILO, Japan Tobacco International, and Winrock International. Seeks to end child labor in tobacco through education. Operates in three districts in the Tabora Region: Kaliua, Urambo, and Uyui. (66,67) Research was unable to determine program activities during the reporting period.

* Program was launched during the reporting period.

† Program is funded by the Government of Tanzania.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (52)

The scope of government-funded social programs is inadequate in that it does not cover construction, domestic service, fishing, and informal sectors in which children engage in child labor.

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 Tanzania (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Related Entity	Suggested Action	Year(s) Suggested
Legal Framework	Mainland and Zanzibar	Ensure that minimum age protections apply to children engaged in domestic work.	2013 – 2018
	Mainland	Criminalize the use of children in illicit activities, particularly in producing and trafficking drugs.	2012 – 2018
	Mainland and Zanzibar	Criminalize the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Mainland	Continue to expand the list of hazardous occupations and activities prohibited for children to ensure that the list includes weeding and processing in the production of tobacco, cloves, coffee, sisal, and tea.	2016 – 2018
	Zanzibar	Pass and publish legislation that establishes a compulsory age for education.	2018
	Zanzibar	Ensure that there is no gap between the age for compulsory education and the minimum age for work, which leaves children vulnerable to child labor.	2017 - 2018
	Zanzibar	Ensure that the law does not prohibit access to education for pregnant girls and sexually active boys.	2017 - 2018
Enforcement	Mainland and Zanzibar	Establish by law free basic public education.	2016 – 2018
		Increase the number of labor inspectors to meet ILO's technical advice.	2013 – 2018
		Ensure that a dedicated labor officer is appointed to each region, and publish this information.	2013 – 2018
		Authorize the Mainland Tanzania and Zanzibar labor inspectorates to assess penalties.	2017 - 2018
		Publish information for Mainland Tanzania and Zanzibar on child labor law enforcement actions, such as funding, trainings provided, routine and unannounced inspections conducted, child labor violations found, and penalties imposed and collected.	2011 – 2018

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Related Entity	Suggested Action	Year(s) Suggested
Enforcement	Mainland and Zanzibar	Provide sufficient funding and trained staff to conduct child labor inspections.	2013 – 2018
		Publish information on criminal enforcement efforts to combat child labor, including trainings provided, investigations conducted, violations found, prosecutions initiated, and criminal convictions executed in Mainland Tanzania and Zanzibar.	2012 – 2018
Coordination	Mainland and Zanzibar	Ensure that the National Education Task Force on Child Labor, the Zanzibar Child Labor Steering Committee, and the National Protection Steering Committee are active.	2018
Government Policies	Mainland	Eliminate provisions in the Primary School Leaving Examination and other national exams that are barriers to education, such as the no re-take policy.	2016 - 2018
	Mainland and Zanzibar	Take steps to implement the National Plan of Action to End Violence Against Women and Children in Tanzania.	2018
	Zanzibar	Ensure full implementation of the Zanzibar Education Policy to limit dropouts.	2018
Social Programs	Mainland and Zanzibar	Address barriers to education, including prohibitive related costs, such as books, school meals, and uniforms.	2010 - 2018
		Integrate programs that include the construction, domestic service, and informal sectors to address children engaged in child labor.	2017 - 2018
		Publish information on the efforts of government social programs that address child labor, including Achieving Reduction of Child Labor in Support of Education.	2018

REFERENCES

- U.S. Embassy- Dar es Salaam. Reporting, January 17, 2014.
- ILO and Government of Tanzania. Tanzania Mainland National Child Labor Survey 2014. February 2016. http://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_28475/lang--en/index.htm.
- U.S. Embassy- Dar es Salaam. Reporting, February 11, 2019.
- U.S. Department of State. Trafficking in Persons Report- 2018. Washington, DC. 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/tanzania/>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 12, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Tanzania National Child Labour Survey, 2014. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: sources and Definitions” in the Reference Materials section of this report.
- Government of Tanzania. The Brief on Update Information on Child Labour in Tanzania. March 4, 2014. Source on file.
- Government of Tanzania. List of Hazards. 2013. Source on file.
- U.S. Embassy- Dar es Salaam. Reporting January 19, 2016.
- Yussuf, Issa. Clove Production Records Success Despite Challenges. Tanzania Daily News, June 29, 2016. <http://allafrica.com/stories/201606290468.html>.
- ILO-IPEC and Government of Tanzania. Rapid Assessment on Child Labour in Tobacco Growing Communities in Tabora Region, Tanzania. 2016. http://www.ilo.org/addisababa/countries-covered/tanzania/WCMS_517519/lang--en/index.htm.
- U.S. Embassy- Dar es Salaam. Reporting, January 20, 2015.
- U.S. Embassy- Dar es Salaam. Reporting, February 20, 2018.
- Mwaipopo, Rosemarie. Tanzania: Labour, Fraught with Danger. Samudra Report no. 77 (2017). https://www.icsf.net/images/samudra/pdf/english/issue_77/4309_art_Sam77_e_art08.pdf.
- Makene, Prosper. Efforts to Curb Child Labour in Gold Mines Proves Fruitful, Says R.C. March 18, 2014. <http://www.123tanzania.com/?module=news&action=newsdetails&news=4153>.
- Human Rights Watch. Child Rights and the Environment—The Need for Action. Submission by Human Rights Watch to the Committee on the Rights of the Child. July 22, 2016. <https://www.hrw.org/news/2016/07/22/child-rights-and-environment-need-action>.
- Lobulu, William. City Fathers Erred on Arusha Tag. Arusha Times, February 27, 2016. Source on file.
- Kippenberg, Juliane. Tackling Child Labor in the Minerals Supply Chain. Human Rights Watch, May 3, 2017. <https://www.hrw.org/news/2017/05/03/tackling-child-labor-minerals-supply-chain>.
- Mahr, Krista. Tanzania struggles to end child labor from the lure of gold. Reuters, April 3, 2017. <https://www.reuters.com/article/us-tanzania-mining-children-feature/tanzania-struggles-to-end-child-labor-from-the-lure-of-gold-idUSKBNI76007>.
- Spence, Tony. Child Mining in Tanzania: A Forgotten Story. Global South Magazine, 2017. <http://www.gsdmagazine.org/child-mining-tanzania-forgotten-story/>.
- ILO. A Situational Analysis of Domestic Workers in the United Republic of Tanzania. January 30, 2016. http://www.ilo.org/addisababa/countries-covered/tanzania/WCMS_517516/lang--en/index.htm.
- Grant, Rebecca. No school, no salary: the children tricked into domestic servitude in Zanzibar. The Guardian, November 9, 2017. <https://www.theguardian.com/global-development/2017/nov/09/children-domestic-servitude-zanzibar-trafficking>.
- U.S. Department of State. Trafficking in Persons Report- 2019. Washington, DC. 2019. <https://www.state.gov/wp-content/uploads/2019/06/2019-TIP-Report-Narratives-T-ZSpecial-Case.pdf>.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 24 Makoye, Kizito. Tanzania Suspends Quarter Of Job Agencies In Crackdown On Sex, Labour Trafficking. Thomas Reuters Foundation News, Accessed January 3, 2017. <http://news.trust.org/item/20150820114050-04y6h/>.
- 25 Kimani, Geoffrey. Child Trafficking On Increase With No Solution in Horizon. The Citizen, October 28, 2016. <http://allafrica.com/stories/201610260785.html>.
- 26 U.S. Embassy- Dar es Salaam. Reporting, March 1, 2019.
- 27 U.S. Department of State. Trafficking in Persons Report- 2017: Tanzania. Washington, DC. 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/tanzania/>.
- 28 U.S. Embassy- Dar es Salaam. Reporting, February 14, 2014.
- 29 Mwita, Sosthenes. Human Trafficking Seen Escalating. Tanzania Daily News, June 23, 2016. <http://allafrica.com/stories/201606230071.html>.
- 30 U.S. Embassy- Dar es Salaam. Reporting, February 18, 2015.
- 31 U.S. Embassy- Dar es Salaam official. Email communication to USDOL official. July 12, 2019.
- 32 U.S. Embassy- Dar es Salaam. Email communication to USDOL official. June 20, 2018.
- 33 ILO Committee of Experts. Individual Observation Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Tanzania, United Republic of (ratification: 2001) Published: 2014. Accessed April 18, 2014. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3142624.
- 34 Government of Tanzania. Employment and Labor Relations Act General Regulations. Enacted: 2017. Source on file.
- 35 Government of Tanzania. National Education Act. Enacted: December 4, 1978. <http://www.unesco.org/education/edurights/media/docs/873ae01bc28cf449895950c7cac2a419d3ede5fd.pdf>.
- 36 Human Rights Watch. The Education Deficit: Failures to Protect and Fulfill the Right to Education in Global Development Agendas. 2016. https://www.hrw.org/sites/default/files/accessible_document/educationdeficit0616_accessible.pdf.
- 37 Mtema, Nelly. Tanzania: School Desk Initiative Pays Off. Tanzania Daily News, July 1, 2016. <http://allafrica.com/stories/201607010575.html>.
- 38 Government of Tanzania. Employment and Labour Relations Act. Enacted: 2004. <http://www.ilo.org/dyn/natlex/docs/SERIAL/68319/66452/>.
- 39 Government of Tanzania. The Law of the Child Act. Enacted: 2009. http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_151287.pdf.
- 40 Revolutionary Government of Zanzibar. Children's Act. Enacted: 2011. Source on file.
- 41 Revolutionary Government of Zanzibar. Employment Act, No. 11. Enacted: 2005. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/49108/65102/E98TZA01.htm#p2>.
- 42 Government of Tanzania. The Constitution of the United Republic of Tanzania. Enacted: 1977. Source on file.
- 43 Government of Tanzania. The Anti-Trafficking in Persons Act. Enacted: 2008. Source on file.
- 44 Government of Tanzania. Sexual Offences Special Provisions Act. Enacted: 1998. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/67094/63635/F532037758/TZA67094.pdf>.
- 45 Revolutionary Government of Zanzibar. Penal Decree Act No. 6 of 2004. Enacted: 2004. Source on file.
- 46 Government of Tanzania. National Defence Act. Enacted: 1966. Source on file.
- 47 Human Rights Watch. I Had a Dream to Finish School: Barriers to Secondary Education in Tanzania. 2017. https://www.hrw.org/sites/default/files/accessible_document/tanzania0217_-_accessible.pdf.
- 48 U.S. Embassy- Dar es Salaam. Reporting, January 29, 2018.
- 49 Human Rights Watch. Tanzania: 1.5 Million Adolescents Not in School. <https://www.hrw.org/news/2017/02/14/tanzania-15-million-adolescents-not-school>.
- 50 Ratcliffe, Rebecca. 'After getting pregnant, you are done': no more school for Tanzania's mums-to-be. June 30, 2017. <https://www.theguardian.com/global-development/2017/jun/30/tanzania-president-ban-pregnant-girls-from-school-john-magufuli>.
- 51 U.S. Department of State. Country Reports on Human Rights Practices- 2018. Washington, DC. 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/tanzania/>
- 52 U.S. Embassy- Dar es Salaam. Reporting, January 17, 2017.
- 53 U.S. Embassy- Dar es Salaam official. Email communication to USDOL official. May 2, 2017.
- 54 Government of Tanzania. National Plan of Action to End Violence Against Women and Children in Tanzania. December 2016. http://www.mcdgc.go.tz/index.php/publications/more/national_plan_of_action_to_end_violence_against_women_and_children_in/.
- 55 U.S. Embassy- Dar es Salaam official. Email communication to USDOL official. March 23, 2018.
- 56 U.S. Embassy- Dar es Salaam official. Email communication to USDOL official. June 16, 2017.
- 57 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 58 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 59 Government of Tanzania. NETF Action Plan. National Education Task Force on Child Labor. 2015. Source on file.
- 60 U.S. Embassy- Dar es Salaam official. Email communication to USDOL official. June 26, 2019.
- 61 Suleiman, Amran Said, Yen Yat, and Issah Iddrisu. Education Policy Implementation: A Mechanism for Enhancing Primary Education Development in Zanzibar. Open Journal of Social Sciences 5, 2017. <https://www.scirp.org/journal/PaperInformation.aspx?PaperID=74820>.
- 62 Government of Zanzibar. Zanzibar Education Development Plan II. 2017. https://www.globalpartnership.org/sites/default/files/zedp_ii_zanzibar.pdf.
- 63 The World Bank. Secondary Education Development Program II. 2016. <http://documents.worldbank.org/curated/en/182201483110970136/pdf/ISR-Disclosable-P114866-12-30-2016-1483110951754.pdf>.
- 64 Government of Zanzibar. Ministry of Education and Vocational Training 2018. 2018. <https://www.moez.go.tz/index.php?cq=dept&dept=6>.
- 65 Winrock International. Empowerment & Civic Engagement: PROSPER Plus Program. 2016. Source on file.
- 66 ILO-IPEC. Achieving Reduction of Child Labour In Support of Education (ARISE) Project Document. 2016. http://www.ilo.org/addisababa/countries-covered/tanzania/WCMS_531380/lang-en/index.htm.
- 67 ARISE. ARISE Officially Launches in Tanzania. May 25, 2016: Press Release. <http://ariseprogram.org/en/news/news/arise-officially-launches-tanzania/>.

In 2018, Thailand made a moderate advancement in efforts to eliminate the worst forms of child labor. The government increased its Labor Inspectorate budget by 47 percent and allocated more resources to inspect high-risk workplaces. The rate of access to education and enrollment for migrant children has improved. The government also supported a training for 7,255 labor volunteers on the worst forms of child labor. The government hired 394 additional labor inspectors, including Department of Labor Protection and Welfare civil servants and other government employees, and 22 additional interpreters at Department of Labor Protection and Welfare offices and fishing port inspection centers. The government continued the information-sharing agreement with the U.S. National Center for Missing and Exploited Children to combat online child commercial sexual exploitation. Finally, the government continued to work directly with NGOs to open two additional Child Advocacy Centers, bringing the total to five in Thailand. However, children in Thailand engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in Muay Thai fighting competitions without protective equipment. Although the government made meaningful efforts in all relevant areas during the reporting period, it does not meet the international standard for the minimum age of work. Enforcement of child labor laws remains a challenge due to an insufficient number of inspectors.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Thailand engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in *Muay Thai* fighting competitions without protective equipment. (1-6) As of the end of the reporting period, the government worked with the ILO to design survey questionnaires and collect data on working children. However, the government has yet to release the results of a national survey on the prevalence of children's work, which are needed to implement the National Policy and Plan to Eliminate the Worst Forms of Child Labor Phase II (2015–2020). (7-8) Table I provides key indicators on children's work and education in Thailand.

Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	13.0 (1,302,267)
Attending School (%)	5 to 14	96.3
Combining Work and School (%)	7 to 14	14.4
Primary Completion Rate (%)		93.4

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (9)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3, 2005–06. (10)

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

Thailand

MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Agriculture	Processing shrimp and seafood† (7,11-13)
	Fishing, including work performed on sea vessels† (7,11,14)
	Planting and harvesting sugarcane (15)
	Production of rubber and pineapples (7)
Industry	Manufacturing, including garment production (7,16)
	Work in poultry factories and pig farms (17,18)
	Construction, including transporting cement and bricks (7,3,19-21)
Services	Domestic work (7,22,23)
	Work in restaurants, motorcycle repair shops, and gas stations (7)
	Street work, including begging and vending (7,23,24-27)
	<i>Muay Thai</i> fighting (3-6,8,28-33)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (2-3,34-37)
	Forced labor in vending, begging, and domestic work, each sometimes as a result of human trafficking (7,16,22)
	Forced labor in the production of garments, in agriculture, and in shrimp and seafood processing† (35,38)
	Fishing as a result of human trafficking (1,14,16,39,40)
	Use in the production and trafficking of drugs, including amphetamines, kratom, and marijuana (7,35)

† 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.

Thai children, as well as children from Burma, Laos, and Cambodia, are subjected to commercial sexual exploitation in Thai massage parlors, bars, karaoke lounges, hotels, and private residences. In addition, children are lured, including through the internet and social media, and coerced to produce pornography and perform sexual acts for live internet broadcasts. (3,23,34,37,41-43)

Children, particularly migrants from the Greater Mekong Subregion, engage in hazardous work in shrimp and seafood processing. Although incidents of child labor in the shrimp and seafood processing industry have decreased in recent years, small numbers of children are still reported to work in the industry. (3,11,44,45) Children who work in shrimp and seafood processing work late hours cleaning and lifting heavy loads of seafood. Many of these children also experience health problems, including injuries and chronic diseases. (13,46) Children working in agriculture face health risks from exposure to pesticides, sun, and heat, often working long hours from very early in the morning until nighttime. In addition to lifting heavy loads, they face risks of injury from operating dangerous machinery and using sharp equipment, and other workplace hazards. (7) Thai and migrant children who accompany their parents working in the construction sector are exposed to child labor at and around construction sites, including performing construction and domestic work, or working at nearby restaurants. (3,8,20,21) Children also participate in dangerous *Muay Thai* competitions without using forms of protective equipment that are generally required by international *Muay Thai* leagues and associations, including mandatory usage of gum shields, groin protectors, head, shin, and elbow guards, and body protectors. Children who participate in *Muay Thai* competitions sustain serious head injuries, including brain hemorrhages and deteriorated nerve fibers around the brainstem. (30)

Although Order No. 28/2559 of the National Council for Peace and Order ensures 15 years of free education for all children in Thailand, some children, particularly migrants and ethnic minorities, struggle to access basic education due to a lack of awareness of migrant children’s right to public education, language barriers, and insufficient transportation to schools. (11,35,47-49) Although children without identity documents or registered addresses cannot be denied enrollment, public school applications are available in the Thai language only, which can create a barrier to children’s access to education, particularly for migrants and ethnic minorities. (3)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Thailand 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 Thailand's legal framework to adequately protect children from the worst forms of child labor, including not meeting the international standard for the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Chapter 4, Section 44 of the Labor Protection Act; Section 148/1 of the Labor Protection Act (No. 5) (50,51)
Minimum Age for Hazardous Work	Yes	18	Chapter 4, Sections 49–50 of the Labor Protection Act; Section 148/2 of the Labor Protection Act (No. 5); Chapter 2, Article 26(6) of the Child Protection Act; Chapter 4, Section 20 of the Homebased Worker Protection Act (50,51,52,53)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Chapter 4, Sections 49–50 of the Labor Protection Act; Clause 4 of the Ministerial Regulation concerning Labor Protection in Sea Fishery Work; Clause 2 of the Ministerial Regulation Identifying Tasks that may be Hazardous to the Health and Safety of Pregnant Women or Children Under the Age of Fifteen Years (50,54,55)
Prohibition of Forced Labor	Yes		Sections 312, and 312 <i>bis</i> of the Penal Code; Sections 4 and 6 of the Anti-Trafficking in Persons Act (No. 3) (56-58)
Prohibition of Child Trafficking	Yes		Sections 282–283 of the Penal Code; Section 6 of the Anti-Trafficking in Persons Act (No. 3) (56,58)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 8 of the Prevention and Suppression of Prostitution Act; Section 6 of the Anti-Trafficking in Persons Act (No. 3); Sections 282 and 285–287 of the Penal Code; Article 26 of the Child Protection Act; Amendment to the Penal Code Act No. 24 (53,56,57,59,60)
Prohibition of Using Children in Illicit Activities	Yes		Article 26 of the Child Protection Act; Section 93 of the Narcotics Act; Section 84 of the Penal Code; Section 22 of the Beggar Control Act (53,61-63)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 25 of the Military Service Act (64)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Section 25 of the Military Service Act (64)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Section 17 of the National Education Act (65)
Free Public Education	Yes		Section 10 of the National Education Act (65)

The minimum age for work does not comply with international standards because the law does not grant protections to children working outside of employment relationships. In addition, because the minimum age for

Thailand

MODERATE ADVANCEMENT

work is lower than the compulsory education age, some children may be encouraged to leave school before the completion of compulsory education. (8,4,50,51,65)

During the reporting period, domestic and international news outlets widely reported on a 13-year-old boy who died from injuries sustained during a *Muay Thai* competition at a school charity event. (3,29-6) This highly publicized death prompted the government to begin drafting a Thai Boxing Act amendment, which would ban children under age 12 from participating in *Muay Thai* competitions and mandate the use of protective equipment for children between the ages of 12 and 15. (4,33,6) As of the end of 2018, the draft law had not been submitted to the cabinet for consideration. Research was unable to confirm whether the draft law will permit the Labor Protection Act to categorize child participants in *Muay Thai* as formal employees. (66) In addition, research was also unable to determine whether the government enforced the Child Protection Act, which forbids a person to force, threaten, use, induce, instigate, encourage, or allow a child to play sports for the purpose of commercial benefit in a manner that hinders the child's growth and development. (8,53)

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 (MOL) and criminal law enforcement agencies that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor Protection and Welfare (DLPW) of the Ministry of Labor (MOL)	Enforces child labor laws through workplace inspections. (7) Operates Hotline 1546 and staffs 86 labor protection and welfare offices in every province to answer questions about working conditions and receive complaints from the public about child labor. In 2018, 770 child labor-related calls were made to the DLPW hotline; the majority of the calls were employers failing to notify DLPW of legal employment of children ages 15 to 18 in non-hazardous work, non-compliance with children's required rest periods, or employment of children under age 15. (3,67)
Anti-Human Trafficking Units	The Anti-Trafficking in Person Division of the Royal Thai Police (RTP) enforces laws related to forced labor, human trafficking, child pornography, and commercial sexual exploitation of children, and operates Hotline 1191 to receive complaints on human trafficking and violence against children. (68) The Department of Trafficking in Persons Litigation under the Office of the Attorney General (OAG) investigates human trafficking offenses, including cases of labor, sex, and child trafficking, and monitors cases to improve the quality of prosecutions. (7,8,69,70) The Anti-Human Trafficking Division under the Criminal Court of Justice prosecutes human trafficking cases, focusing specifically on high-profile human and sex trafficking, forced labor, slavery, and the illegal trade of human organs. (8,69) The Thailand Anti-Trafficking in Persons Taskforce (TATIP)* investigates and enforces laws against human trafficking in the sex trade and mainstream industries. TATIP teams comprise police officers, social workers, and selected NGO representatives. (3) The Department of Special Investigation's (DSI) Bureau of Human Trafficking Crime is tasked with enforcing and investigating human trafficking cases. (8) All Anti-Human Trafficking units were operational during the reporting period and carried out duties related to their mandate. (3,37,71)
Thailand Internet Crimes Against Children Taskforce (TICAC)	Investigates and enforces laws against child trafficking and the online sexual exploitation of children, including the distribution and production of child pornography. (7) Comprises police officers, DSI agents, social workers, and selected NGO representatives. (8,72) In 2018, TICAC investigated 19 cases of internet-facilitated child sex trafficking and 60 cases of child pornography possession. (71)
Ministry of Social Development and Human Security (MSDHS)	Enforces child protection laws through close collaboration with the Ministry of Foreign Affairs, RTP, DSI, and DLPW; and operates 76 temporary shelters located in every province and 9 long-term shelters for human trafficking victims, including shelters dedicated solely for girls and boys. Operates Hotline 1300, which received 118 calls in 2018 related to human trafficking, including forced prostitution and forced labor. (3,37,53,71) In 2018, MSDHS organized a campaign to eliminate prostitution and sex trafficking for 3,234 children, women, and families. MSDHS also worked with OAG, TICAC, TATIP, and NGOs to provide anti-sex trafficking education to 3,000 students and youth. (37)
DSI in the Ministry of Justice	Investigates human trafficking crimes, including those related to government officials' complicity, and transnational or organized crime. (67) In 2018, DSI participated in criminal law enforcement investigations, including in crimes involving sexual exploitation of children, and organized anti-trafficking in persons best practices seminars for foreign government agencies and NGOs. (3,37)

*Agency responsible for child labor enforcement was created during the reporting period.

Even though the incidence of child labor law violations has decreased in the shrimp and seafood processing sectors, Thailand continues to closely monitor the industry for child labor through 32 Port In-Port Out (PIPO) Centers along the coasts. These Centers enforce laws related to fishing, forced labor, child labor, and human trafficking. (3,8,12,14,45)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Thailand took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL 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	\$614,251 (7)	\$921,068 (3)
Number of Labor Inspectors	1,506 (7)	1,900 (3)
Inspectorate Authorized to Assess Penalties	Yes (7)	Yes (3)
Initial Training for New Labor Inspectors	Yes (7)	Yes (3)
Training on New Laws Related to Child Labor	Yes (7)	Yes (3)
Refresher Courses Provided	Yes (7)	Yes (3)
Number of Labor Inspections Conducted	40,306 (7)	40,568 (3)
Number Conducted at Worksite	40,306 (7)	40,568 (3)
Number of Child Labor Violations Found	103 (7)	83 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	103 (48)	53 (3)
Number of Child Labor Penalties Imposed that Were Collected	53 (7)	53 (3)
Routine Inspections Conducted	Yes (7)	Yes (3)
Routine Inspections Targeted	Yes (7)	Yes (3)
Unannounced Inspections Permitted	Yes (7)	Yes (3)
Unannounced Inspections Conducted	Yes (7)	Yes (3)
Complaint Mechanism Exists	Yes (7)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (3)

In 2018, 905 Department of Labor Protection and Welfare (DLPW) and MOL civil servants carried out labor inspection duties. In addition, 221 contract employees employed by DLPW and 774 officials from other agencies, including the Royal Thai Police (RTP) and Department of Fisheries, supported labor law enforcement efforts. (3) The government also hired an additional 22 interpreters to assist the labor inspectors, bringing the total number of interpreters to 124. (3) Despite the increase in the number of labor inspectors from the previous reporting period, the number is still likely insufficient for the size of Thailand's workforce, which includes approximately 38.45 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Thailand would employ about 2,558 labor inspectors. (73,74) More than 94 percent of unannounced child labor inspections targeted high-risk worksites that employed children in the garment, shrimp and seafood processing, poultry and pig farming, services, auto repair, and construction sectors. (3) Inspectors who find a child labor violation must immediately assess a penalty on the employer and refer the case to the RTP. (48) Although the Command Center for Combating Illegal Fishing (CCCIF) and DLPW have made efforts to actively exchange information with NGOs, it is reported that the CCCIF and DLPW have not made efforts to reach out to migrant community NGOs or networks to exchange information on high-risk workplaces or provide training on child labor issues. (7,8)

In 2018, interpreters at DLPW provided translation assistance to Burmese and Cambodian migrant workers on Thai-owned fishing boats at PIPO Centers. (8) The DLPW also had mobile inspection teams that consisted of labor inspectors, a legal affairs officer, interpreters, and sometimes employees from the departments of Special Investigation, Employment, and Fisheries. These teams conducted targeted monthly child labor inspections using information shared by NGOs and child protection networks, and they are authorized to file criminal

Thailand

MODERATE ADVANCEMENT

lawsuits when child labor violations are found. (7,48) During the reporting period, the mobile inspection teams conducted 49,394 labor inspections at worksites and on 78,789 fishing boats. Although no child labor cases were identified in the fishing sector, DLPW identified 99 cases involving 206 alleged child labor law violations in other industries. (3)

In addition, 695 labor inspectors, government employees, and law enforcement officials received training in inspection and law enforcement related to the worst forms of child labor. Lastly, the MOL conducted several trainings in 2018 for labor inspectors, including training 108 participants on rescuing and protecting children from the worst forms of child labor, and providing capacity building for labor inspectors to eliminate the worst forms of child labor in hard-to-reach workplaces. (3,37)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Thailand 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 fully reporting criminal enforcement data.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (7)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (7)	Yes (3)
Refresher Courses Provided	Yes (7)	Yes (3)
Number of Investigations	2,891† (7)	2,582‡ (3,37)
Number of Violations Found	31 (7)	205‡ (3)
Number of Prosecutions Initiated	Unknown (7)	172‡ (3)
Number of Convictions	Unknown (7)	Unknown (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (7)	Yes (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (3)

† Data are from October 1, 2016 to September 30, 2017.

‡ Data are from October 1, 2017 to September 30, 2018.

In 2018, the government identified 1 child victim of forced labor and 40 child victims of commercial sexual exploitation, and worked on 34 child pornography cases. The Department of Juvenile Observation and Protection reported 2,541 cases of children involved in the production and trafficking of narcotics. (3) The Thailand Internet Crimes Against Children Taskforce (TICAC) and the Thailand Anti-Trafficking in Persons Taskforce (TATIP) collaborated closely with international law enforcement agencies and NGOs, including the National Center for Missing and Exploited Children, to identify and arrest suspects engaged in online child commercial sexual exploitation. (3,8) Throughout 2018, TICAC investigated 19 cases involving human trafficking, and TATIP investigated 29 human trafficking cases. Both TICAC and TATIP provided coaching, training, and case management support to investigators across the country to improve investigatory practices and the effectiveness of victim specialists. (8,37) The RTP's Anti-Trafficking in Persons Division received training in child labor policies and laws as well as training in techniques to investigate and prosecute the worst forms of child labor and human trafficking crimes. (3,37) In addition, the government collected and reported administrative data on the worst forms of child labor to the Cabinet. (67)

Reports indicate that there is a lack of understanding of human trafficking issues in some provincial governments and courts if the victims are boys engaged in commercial sexual exploitation. In addition, there are reports of underreporting human trafficking incidences for fear that reporting them would demonstrate law enforcement deficiencies. (3,37)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
National Committee to Eliminate the Worst Forms of Child Labor	Coordinates the implementation of child labor policies, facilitates cooperation among relevant ministries, and reports annually to the Thai Cabinet on child labor issues. (65) Chaired by the MOL, with representation from other government agencies, employer and worker associations, and civil society groups. (75) Oversees a subcommittee responsible for monitoring the National Policy and Plan to Eliminate the Worst Forms of Child Labor. (35,76) In 2018, the committee met three times to review Thailand's report on the worst forms of child labor and adjusted the working committee to oversee and monitor efforts to remove Thailand's products from USDOL's <i>List of Goods Produced with Child Labor or Forced Labor</i> . (8)
National and Provincial Committees on Child Protection	Coordinates with government agencies and private sector representatives to monitor and protect children's social welfare and safety, including monitoring public and private workplaces for child labor violations. (53) Led by MSDHS with participation from DLPW and the Ministries of Education and Public Health. (8) In 2018, the committee convened to discuss policies and develop a plan to prevent young children from engaging in <i>Muay Thai</i> and protect those children who do engage in <i>Muay Thai</i> . (8)
Fishing Regulatory Units	The National Policy Committee on Anti-Trafficking in Persons and Illegal, Unreported, and Unregulated Fishing coordinates anti-trafficking in persons policies and activities and oversees five subcommittees, including the Subcommittee on Child Labor, Forced Labor, and Migrant Workers. Chaired by the MOL. (35,77) In 2018, MOL conducted iris scan and biometric registration for 172,895 migrant fishing and seafood processing workers. (71) The Provincial Coordination Center for Sea Fishery Workers (operated jointly by DLPW, Marine Police, Provincial Administration, and Fishers' Association) compiles registration records and information on work permits for migrants working on fishing vessels, and works with vessel owners to ensure that undocumented migrant workers are registered. Also monitors and coordinates inspections of working conditions on fishing vessels, provides trainings on labor protection, receives human trafficking complaints, and coordinates with other agencies to provide assistance, remedy, and rehabilitation services for victims. (68) In 2018, the Provincial Coordination Center for Sea Fishery Workers was operational and continued to support the Royal Thai Government's (RTG) work on fishery workers' registrations and provide trainings on new regulations for fishery workers and vessel owners. (8) The Command Center for Combating Illegal Fishing (CCCIF) coordinates government efforts to resolve cases of human trafficking and illegal fishing and operates 32 Port In-Port Out (PIPO) Centers and 19 Forward Inspection Centers in every coastal province. (68) Carries out inspections in the fishing and seafood industry. Members include the Royal Thai Navy; the ministries of Agriculture and Cooperatives, Transport, Interior, and Labor; and RTP. (78) In 2018, the Royal Thai Navy, under CCCIF, organized 3 training program for 147 high-level officers, policy makers, and practitioners. One of the trainings taught a curriculum on the prevention and suppression of human trafficking, child labor, and forced labor in the fishing sector. (8) PIPO Centers enforce laws related to fishing and labor, including child labor, forced labor, and human trafficking, through boat inspections. PIPO Centers are staffed by officers from the Royal Thai Navy, Department of Fisheries, Marine Department, DLPW, Department of Employment, and interpreters. (3) In 2018, all 32 PIPO Centers were operational and conducted 78,623 fishing boat inspections, which identified 511 violations. (3,71)
Division of Anti-Trafficking in Persons	Coordinates anti-trafficking activities, including those involving forced child labor, child trafficking, and commercial sexual exploitation. Monitors 76 Provincial Operation Centers for the Prevention and Suppression of Human Trafficking. (35,68,79) Operates under MSDHS. (35) In 2018, the Division developed manuals and videos in seven languages (Thai, English, Burmese, Laotian, Cambodian, Vietnamese, and Mandarin) on the rights of trafficked victims to provide information to victims prior to entering shelters. The Division also developed a handbook and vocabulary book for interpreters to assist victims of trafficking. (8)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy and Plan to Eliminate the Worst Forms of Child Labor Phase II (2015–2020)	Seeks to eliminate the worst forms of child labor in Thailand in accordance with international labor standards. Focuses on (a) preventing the worst forms of child labor, (b) rescuing and protecting children from the worst forms of child labor, (c) developing and enforcing relevant laws, (d) enhancing interagency cooperation, and (e) developing management and monitoring systems. (76) In 2018, this policy supported a training for labor volunteers on the worst forms of child labor; 7,255 volunteers participated in 76 courses. (8)

Thailand

MODERATE ADVANCEMENT

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
Cyber Tipline Remote Access Policy	Seeks to combat the online sexual exploitation of children in Thailand by partnering with the U.S. National Center for Missing and Exploited Children. Supports TICAC by permitting RTP to request warrants to search the residences and electronic equipment of individuals for child pornography and initiate criminal prosecution. (80-83) In 2018, TICAC actively used the Virtual Private Network associated with the National Center for Missing and Exploited Children, which led to the investigations of 14 commercial child sexual exploitation cases, prosecution of 2 cases, and conviction of 1 case. (8)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (7,67,84,85)

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 child labor in high-risk sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Government Shelters for Trafficking Victims†	MSDHS program that operates 76 temporary shelters that provide emergency assistance and protection to human trafficking victims, including children. (78) Operates nine long-term trafficking shelters that offer medical care, psychosocial services, education, and life skills education. (78,88) In 2018, Save the Children personnel trained shelter staff on specialized child services, including conducting risk assessments, victim referrals, and providing child witness support. (37)
Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry (2016–2019)	3.5 year, EU- and ILO-funded Ship to Shore Rights project implemented by ILO, the government of Thailand, and other stakeholders to prevent and reduce forced labor and child labor in the Thai fishing and seafood processing sectors, including by withdrawing children engaged in the worst forms of child labor and enhancing their access to support services. (89,90) In 2018, this program supported an ILO-MOL joint training for 60 participants to prevent and reduce forced labor, child labor, and indecent forms of work in the seafood industry. (8)
Migrant Learning Centers‡	NGO and government-operated centers that provide basic education, life skill training, and vocational training to children in migrant communities along Thailand's borders. In 2018, RTG continued to provide subsidies and accreditation to some qualified Migrant Learning Centers. (3,68)
Welfare Cards for the Poor†	Government program that provides low-income parents or caretakers with a monthly stipend of approximately \$51 (1,630 baht) for transportation, farming supplies, educational materials, and other essentials. In 2018, approximately 3 million Thai citizens received benefits. (7,3)
Equal Education Fund†	Provides scholarships to support disadvantaged children's access to education. Approximately 397,493 students received disbursements in 2018. (3)
Child Advocacy Centers (CAC)†	Provide social, legal, and repatriation services to children who are victims or vulnerable to human trafficking, including children trafficked for commercial sexual exploitation. (37,42) In 2018, two new CACs opened—for a total of five CACs around the country—and RTP committed to fully fund all of the CACs. During the reporting period, CACs also assisted 57 victims during criminal investigations, accompanied 36 victims to the courts, and helped repatriate 10 victims. (37,42)

† Program is funded by the Government of Thailand.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (42,76,91)

The lack of available research and data on the prevalence of child labor in high-risk sectors, such as agriculture, garment manufacturing, domestic work, and construction, make it difficult for the Thai Government to design appropriate programs to address these issues. (3,44) Although access to education for migrant children has increased, many Migrant Learning Centers rely on decreasing donor funding, and migrant students face difficulties acquiring a certification of education because many centers lack qualified teachers and accreditation. Lastly, migrant children are not eligible for Equal Education Fund distributions, which increases their vulnerability to labor exploitation. (8,67)

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 Thailand (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the minimum age for work applies to children working outside of employment relationships.	2017 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
	Enact legal protections that prohibit children under age 18 from participating in <i>Muay Thai</i> without protective gear and forbid all types of contact with opponents' heads.	2018
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor to meet the ILO's technical guidance.	2015 – 2018
	Collect and publish comprehensive data on the number of convictions for all crimes related to child labor.	2015 – 2018
	Provide trainings for provincial governments and courts to ensure that boy victims of commercial sexual exploitation are reported and afforded the same services as girls.	2018
	Increase collaboration with NGOs and migrant community networks to exchange information on high-risk workplaces, and provide training on child labor issues.	2018
Social Programs	Improve access to education, especially for ethnic minority and migrant children, including by raising awareness of migrant children's right to education, improving access to school transportation, and addressing language barriers for non-Thai speaking students, including on public school applications.	2012 – 2018
	Publish the results of the survey on working children in Thailand and use the results to refine the government's policy and actions.	2009 – 2018
	Conduct research and data prevalence surveys to ensure that there are sufficient social programs to address child labor in agriculture, garment manufacturing, domestic work, and construction.	2016 – 2018
	Ensure that there are sufficient social programs to assist children from vulnerable groups, such as migrant children, who are at high risk of the worst forms of child labor.	2016 – 2018
	Support migrant learning centers to improve the quality of education and provide accreditation for migrant children; develop systems to refer migrant students to schools in their countries of origin.	2018

REFERENCES

- Campbell, C. Child slaves may have caught the fish in your freezer. *Time*, March 8, 2014. <http://time.com/12628/human-trafficking-rife-in-thai-fishing-industry/>.
- Chandran, Rina. In Thai tourist spots, a hidden world of male sex slavery. *Reuters*. June 13, 2018. <https://www.reuters.com/article/us-thailand-trafficking-sexcrimes/in-thai-tourist-spots-a-hidden-world-of-male-sex-slavery-idUSKBN1J91GU>.
- U.S. Embassy- Bangkok. Reporting. January 29, 2019.
- Solomon, Ben C. 'Destroying our children for sport': Thailand may limit underage boxing. *The New York Times*. December 23, 2018. <https://www.nytimes.com/2018/12/23/world/asia/thailand-children-muay-thai.html>.
- Nattaya Chetchotiros. One Head Punch Too Many. *Bangkok Post*. November 18, 2018. <https://www.bangkokpost.com/news/special-reports/1577682/one-head-punch-too-many>.
- Bangkok Post Reporters. Sports minister vows boxing reform. *Bangkok Post*. November 14, 2018. <https://www.bangkokpost.com/news/general/1575454/sports-minister-vows-boxing-reform>.
- U.S. Embassy- Bangkok. Reporting. January 25, 2018.
- U.S. Embassy- Bangkok official. Email communications to a USDOL official. July 12, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Fernquest, Jon. Education of migrant children: Fighting child labour in Thailand. *Bangkok Post*, June 14, 2017. <https://www.bangkokpost.com/learning/advanced/1268253/education-of-migrant-children-fighting-child-labour-in-thailand>.
- ILO. Ship to shore rights: Baseline research findings on fishers and seafood workers in Thailand. 2018. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/publication/wcms_619727.pdf.
- Terre Des Hommes. Migrant Child Labour in the Thai Shrimp Industry. 2015. <http://www.terredeshommes.org/wp-content/uploads/2015/06/shrimp-study-eng-3MB.pdf>.
- Human Rights Watch. Hidden Chains: Rights Abuses and Forced Labor in Thailand's Fishing Industry. January 23, 2018. <https://www.hrw.org/report/2018/01/23/hidden-chains/rights-abuses-and-forced-labor-thailands-fishing-industry>.
- U.S. Embassy- Bangkok. Reporting. November 29, 2017.
- Pocock, Nicola S., et al. Labour Trafficking among Men and Boys in the Greater Mekong Subregion: Exploitation, Violence, Occupational Health Risks and Injuries. *PLoS ONE* 11(12), December 16, 2016. <http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0168500>.
- Bergbom, K. Trapped in the Kitchen of the World: The situation for migrant workers in Thailand's poultry industry. *Stockholm: Swedewatch and Finnwatch*, November 25, 2015: No. 76. http://www.swedewatch.org/wp-content/uploads/2016/11/76_thaikyckling_151123_ab.pdf.

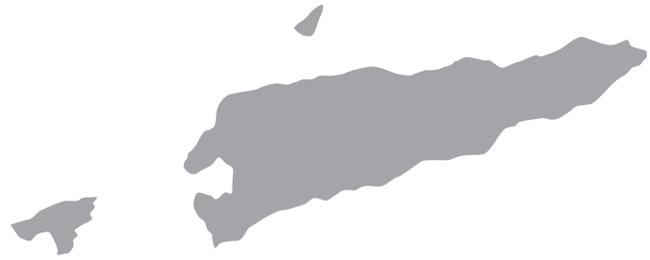
Thailand

MODERATE ADVANCEMENT

- 18 Fernquest, Jon. Lao migrant workers caged on pig farm outside Bangkok by bank manager. *Bangkok Post*, August 23, 2015. <https://www.bangkokpost.com/learning/learning-news/665892/lao-migrant-workers-caged-on-pig-farm-outside-bangkok-by-bank-manager>.
- 19 Destination Unknown. Thailand: Burmese Youth working on construction sites. *Thailand: Terre des Hommes*, February 2, 2015. <http://destination-unknown.org/thailand-burmese-youth-working-on-construction-sites/>.
- 20 UNICEF. Building futures in Thailand: Support to children living in construction site camps. 2018. <https://www.unicef.org/thailand/media/586/file>.
- 21 Chandran, Rina. Migrant construction workers' children in Thailand exposed to violence: U.N. Reuters. March 29, 2018. <https://www.reuters.com/article/us-thailand-labour-children/migrant-construction-workers-children-in-thailand-exposed-to-violence-u-n-idUSKBN1H5170>.
- 22 Lei Win, Thin. Burmese Child Slave Puts Spotlight on Abuse of Foreign Maids in Thailand. *The Irrawaddy*, August 9, 2014. <http://www.irrawaddy.org/burma/burmese-child-slave-puts-spotlight-abuse-foreign-maids-thailand.html>.
- 23 U.S. Department of State. Trafficking in Person Report- 2018: Thailand. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/thailand/>
- 24 Mairs, Sally. The Exploited Kids Selling Roses to Tourists on Bangkok's Khaosan Road. *Vice News*, November 2, 2014. https://www.vice.com/en_us/article/7b7mdx/why-not-to-buy-roses-from-the-kids-on-khaosan-road.
- 25 Yongcharoenchai, Chaiyot. Young lives for sale. *Bangkok Post*, June 29, 2014. <https://www.bangkokpost.com/print/417880/>.
- 26 Win, Thin Lei. Domestic violence, abuse and poverty driving children into streets of Bangkok. *Reuters News*, April 11, 2014. <http://news.trust.org/item/20140411204234-24iv5/>.
- 27 United Nations Office on Drugs and Crime. Trafficking in persons from Cambodia, Lao PDR and Myanmar to Thailand. August 2017. https://www.unodc.org/documents/southeastasiaandpacific/Publications/2017/Trafficking_in_persons_to_Thailand_report.pdf.
- 28 Newhall, Lindsey. High-Frequency Fighting and the Children of Muay Thai. *Vice News*, January 25, 2016. <http://fightland.vice.com/blog/high-frequency-fighting-and-the-children-of-muay-thai>.
- 29 Karlinsky, N. Thailand's Child Boxers Compete in Brutal Fights for Money, Better Future. *abcnews.go.com*, January 21, 2014. <http://abcnews.go.com/International/thailands-child-boxers-compete-brutal-fights-money-future/story?id=21613303&singlePage=true>.
- 30 Boyle, Gary. Muay Thai Teen Dies. *Bangkok Post*. November 14, 2018. <https://www.bangkokpost.com/learning/advanced/1575618/muay-thai-teen-dies>.
- 31 Olarn, Kocha; McKirdy, Euan; Senthilingam, Meera. Death of 13-year-old fuels debate over Muay Thai kickboxing competitions. *CNN*. November 15, 2018. <https://www.cnn.com/2018/11/14/health/muay-thai-13-year-old-thai-boxer-dies/index.html>.
- 32 Wongcha-um, Panu; Thepumpant, Panarat. Death of Thai boy inflames debate on Muay Thai's young dreamers. *Reuters*. November 13, 2018. <https://www.reuters.com/article/us-thailand-boxing-children/death-of-thai-boy-inflames-debate-on-muay-thais-young-dreamers-idUSKCN1N1IAJ>.
- 33 The Nation. Govt officials seek to lay criminal charges following boy's Muay Thai death. *The Nation*. November 21, 2018. <http://www.nationmultimedia.com/detail/national/30358973>.
- 34 South China Morning Post. Teenage girls as dessert: Thai sex scandal exposes grim tradition among local officials. June 25, 2017. <http://www.scmp.com/news/asia/southeast-asia/article/2099873/teenage-girls-dessert-thai-sex-scandal-exposes-grim>.
- 35 Government of Thailand. Thailand's Progress on the Elimination of the Worst Forms of Child Labor: 2016. Bangkok, February 10, 2017. Source on file.
- 36 FBI. Report from Thailand, Part 3: It Takes a Village. Washington, DC, October 6, 2016. <https://www.fbi.gov/news/stories/report-from-thailand-part-3>.
- 37 U.S. Embassy- Bangkok. Reporting. March 8, 2019.
- 38 U.S. Embassy- Bangkok. Reporting. February 15, 2015.
- 39 Urbina, I. Forced labor for cheap fish. *New York: The New York Times*, July 27, 2015. <http://www.nytimes.com/images/2015/07/27/nytf/nytf/scan.pdf>.
- 40 Human Rights Watch. Thailand: Don't Supply Prisoners to Fishing Boats. December 10, 2014. <https://www.hrw.org/news/2014/12/10/thailand-dont-supply-prisoners-fishing-boats>.
- 41 U.S. Department of State. Online Sexual Exploitation of Children: An Alarming Trend. June 27, 2017. <https://www.state.gov/online-sexual-exploitation-of-children-an-alarming-trend/>
- 42 U.S. Embassy- Bangkok. Reporting. February 26, 2018.
- 43 Petrova, Daniela. A Vacation With a Purpose: Fighting Trafficking in Thailand. *New York Times*, May 11, 2017. <https://nyti.ms/2q4J3sK>.
- 44 U.S. Embassy- Bangkok official. Email communication to USDOL official. May 4, 2018.
- 45 Oxfam International. Supermarket responsibilities for supply chain workers' rights. June 2018. https://www.oxfamamerica.org/static/media/files/Supermarket_Responsibilities_for_Supply_Chains_Rights_report.pdf.
- 46 The Asia Foundation, and ILO. Migrant and Child Labor in Thailand's Shrimp and Other Seafood Supply Chains: Labor Conditions and the Decision to Study or Work. Bangkok, September 2015. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_402971.pdf.
- 47 Human Rights Watch. Stateless at Sea: The Moken of Burma and Thailand. June 2015. <https://www.hrw.org/report/2015/06/25/stateless-sea/moken-burma-and-thailand>.
- 48 U.S. Embassy- Bangkok official. Email communication to USDOL official. March 27, 2018.
- 49 Anand, Tanu. Migrant Children Deserve Equal Chance to Attend School in Thailand. April 20, 2016. <https://campaigns.savethechildren.net/blogs/tanuanand/migrant-children-deserve-equal-chance-attend-school-thailand>.
- 50 Government of Thailand. Labour Protection Act. Enacted: 1998. <http://www.ilo.org/dyn/natlex/docs/WBTEXT/49727/65119/E98THA01.htm>.
- 51 Government of Thailand. Amendment to the Labour Protection Act (No. 5), B.E. 2560. Adopted: January 23, 2017. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=103608&p_count=2&p_classification=01.
- 52 Government of Thailand. Home Workers Protection Act (2010). Accessed July 12, 2019. https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/93545/109400/F-1826987314/THA93545_Eng.pdf.
- 53 Government of Thailand. Child Protection Act. Enacted: 2003. <http://www.refworld.org/docid/46b2f91f2.html>.
- 54 Government of Thailand. Ministerial Regulation concerning Labour Protection in Sea Fishery Work B.E. 2557. Enacted: 2014. Source on file.
- 55 Government of Thailand. Ministerial Regulation Identifying Tasks that may be Hazardous to the Health and Safety of Pregnant Women or Children Under the Age of Fifteen Years. Enacted: May 2, 2017. <http://ratchakittha.soc.go.th/DATA/PDF/2560/A/054/4.PDF>.
- 56 Government of Thailand. Penal Code. Enacted: November 13, 1956. http://thailaws.com/law/t_laws/tlaw50001.pdf.

- 57 Government of Thailand. Prevention and Suppression of Human Trafficking (No. 2) Amendment Act, 2015 [B.E. 2558]. Adopted: January 26, 2017.
<http://ilo.org/dyn/natlex/docs/ELECTRONIC/I103609/I25956/F868002637/THA103608 Tha.pdf>.
- 58 Government of Thailand. Anti-Trafficking in Persons Act. Enacted: January 30, 2008.
http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=100444&p_country=THA&p_count=420&p_classification=03&p_classcount=11.
- 59 Government of Thailand. Prevention and Suppression of Prostitution Act. Enacted: October 14, 1996. Source on file.
- 60 South Asia Law. New Amendments to Thailand's Penal Code. Cited: February 5, 2016.
https://www.southasia-law.com/news/newsdetail?news_id=12.
- 61 Government of Thailand. Narcotics Act. Enacted: April 22, 1979.
[http://www.asean.org/storage/images/archive/Narcotics Act B.E. 2552 \(1979\) - Thailand.doc](http://www.asean.org/storage/images/archive/Narcotics Act B.E. 2552 (1979) - Thailand.doc).
- 62 Government of Thailand. Amendment to the Penal Code No. 25, Amending the Penal Code. Enacted: April 8, 2016.
- 63 Government of Thailand. Control of Begging Act. Enacted: April 26, 2016.
http://law.m-society.go.th/law2016/law/download_by_name/819?filename=594cc68606399.pdf.
- 64 Government of Thailand. Military Services Act. Enacted: 1954. Source on file.
- 65 Government of Thailand. National Education Act. Enacted: 1999. Source on file.
- 66 U.S. Embassy- Bangkok. Email communication to USDOL official. March 8, 2019.
- 67 U.S. Embassy- Bangkok. Reporting. March 8, 2017.
- 68 U.S. Embassy- Bangkok. Reporting. January 29, 2016.
- 69 U.S. Embassy- Bangkok. Reporting. October 14, 2015.
- 70 Government of Thailand. Centre Against International Human Trafficking Accessed July 12, 2019.
www.caht.ago.go.th.
- 71 Government of Thailand. Thailand's country report on anti-human trafficking response. Accessed July 12, 2019.
<https://www.e-aht.com/startup/gotoInformationActivityDetail?informationID=249>.
- 72 U.S. Embassy- Bangkok. Reporting. February 17, 2017.
- 73 CIA. The World Factbook. Accessed: March 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 74 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy, November 2006.
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 75 Government of Thailand. National Policy and Plan to Eliminate the Worst Forms of Child Labour (2009-2014). Bangkok, 2009. Source on file.
- 76 Labour Protection Bureau. National Policy and Plan to Eliminate the Worst Forms of Child labor for fiscal year 2015-2020. Bangkok: Department of Labour Protection and Welfare, Ministry of Labour, December 2015. Source on file.
- 77 Government of Thailand. Thailand's Progress Report on Anti-Human Trafficking Efforts. Bangkok, March 31, 2015. Source on file.
- 78 U.S. Embassy- Bangkok. Reporting. February 19, 2016.
- 79 U.S. Embassy- Bangkok. Reporting. February 3, 2014.
- 80 Government of Thailand. Press Release: Thailand and the U.S. Strengthen Partnership to End Child Sexual Exploitation. March 27, 2017.
<http://www.mfa.go.th/main/en/news/3/6886/76451-Thailand-and-the-U.S.-Strengthen-Partnership-to-En.html>.
- 81 Jitcharoenkul, Prangthong, and Kornchanok Raksaseri. US, Thai networks join to find missing, exploited children. Bangkok Post, March 30, 2017.
<https://www.bangkokpost.com/archive/us-thai-networks-join-to-find-missing-exploited-children/1223564>.
- 82 Raksaseri, Kornchanok. Agency protecting kids on net gains foothold. Bangkok Post, November 6, 2017.
<https://www.bangkokpost.com/tech/local-news/1355151/agency-protecting-kids-on-net-gains-foothold>.
- 83 Raksaseri, Kornchanok. Trapped in the Web. Bangkok Post, July 23, 2017.
<https://www.pressreader.com/thailand/bangkok-post/20170723/281522226148952>.
- 84 Association of Southeast Asian Nations. ASEAN Convention Against Trafficking in Persons, Especially Women and Children. Kuala Lumpur, November 21, 2015.
<http://www.asean.org/storage/2015/12/ACTIP.pdf>.
- 85 Government of Thailand. Action Plan on Drug Problems Preventive and Corrective. Bangkok, 2016.
http://www.ppb.moi.go.th/midev03/upload/MX-M452N_20150902_171701.pdf.
- 86 ILO, USDOL. From Protocol to Practice: A Bridge to Global Action on Forced Labor. Statement of Work. 2015. Source on file.
- 87 ILO. From Protocol to Practice: A Bridge to Global Action on Forced Labor. Geneva, October 2016: Technical Progress Report. Source on file.
- 88 U.S. Embassy- Bangkok official. Email communication to USDOL official. June 6, 2016.
- 89 ILO. Fact sheet: Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry. March 17, 2016.
http://www.ilo.org/global/meetings-and-events/regional-meetings/asia/aprm-15/media-centre/WCMS_460873/lang--en/index.htm.
- 90 ILO. New ILO project to combat unacceptable forms of work in the Thai fishing and seafood industry. Bangkok, March 16, 2016: Press Release.
http://www.ilo.org/asia/info/public/pr/WCMS_460488/lang--en/index.htm.
- 91 UNODC. Unique partnership started to tackle human trafficking to Thailand. Bangkok, January 11, 2016: Press Release.
<http://www.unodc.org/southeastasiaandpacific/en/2016/01/human-trafficking-thailand/story.html>.

In 2018, Timor-Leste made a minimal advancement in efforts to eliminate the worst forms of child labor. The Prime Minister's Office convened different agencies to develop an implementation plan for the National Action Plan Against Human Trafficking via the Inter-Agency Trafficking Working Group. However, children in Timor-Leste engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Timor-Leste does not meet international standards related to the minimum age for work. In addition, Timor-Leste's Penal Code and Labor Code only protect children under the age of 17, leaving children age 17 vulnerable to the worst forms of child labor. Also, during most of the reporting year, the Government of Timor-Leste did not have an operating budget, which inhibited its ability to fund programs.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Timor-Leste engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1,2) Table I provides key indicators on children's work and education in Timor-Leste.

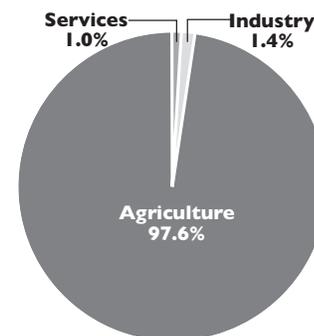
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	19.9 (26,268)
Attending School (%)	7 to 14	69.7
Combining Work and School (%)	7 to 14	12.6
Primary Completion Rate (%)		95.3

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (3)

Source for all other data: International Labor Organization's analysis of statistics from Timor-Leste Survey of Living Standards (TSLSS), 2007. (4)

Figure I. Working Children by Sector, Ages 10-14



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	Farming, including cultivating and processing coffee† (1,5) and growing vegetables and other crops (2,6) Fishing,† including work on boats and repairing nets (1,2,7,8)
Industry	Construction,† (1) including brickmaking(5) Operating weaving and knitting machines (6,9)
Services	Domestic work† (1,2,10) Street work, including vending, begging, and scavenging (1,11) Shopkeeping and selling goods in markets (6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,12,13) Domestic and agricultural work, each sometimes as a result of human trafficking (2,13)

† 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.

In Timor-Leste, some children are trafficked from rural areas to the capital city, Dili, and subjected to commercial sexual exploitation, domestic work, or forced labor in the fishing industry. (2,14) Other children are trafficked transnationally, including to Indonesia. (2,15) Preliminary data from the child labor survey conducted in 2016

Timor-Leste

MINIMAL ADVANCEMENT

indicate that more than 26,000 children are engaged in other service activities, such as domestic work; the survey also identified 588 children engaged in street work. (8,10,16) Although data are limited, it is anecdotally reported that children are sometimes directed to work on family farms against their wishes to supplement family incomes. (17) The government requires nine years of compulsory education; however, there are no provisions to ensure that children are not subjected to paying additional fees to attend school. Commonly required fees include school uniforms and supplies, which can hinder children's access to education. (8,18) Due to national elections in spring of 2018, political impasses, and the lack of a budget until September 2018, the Government of Timor-Leste was unable to implement or continue many programs focused on eliminating child labor. (8)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Timor-Leste has ratified most 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 Timor-Leste's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for hazardous work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 68 of the Labour Code (19)
Minimum Age for Hazardous Work	No	17	Article 67 of the Labour Code (19)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Hazardous and Prohibited Activities to Children Under the Age of 18 (20)
Prohibition of Forced Labor	Yes		Articles 155, 162–163, and 166 of the Penal Code; Articles 8 and 67 of the Labour Code (19,21)
Prohibition of Child Trafficking	Yes		Article 81 of the Immigration and Asylum Act; Articles 162–164 and 166 of the Penal Code; Article 67 of the Labour Code; Article 18 of the Law on Preventing and Combating Human Trafficking (19,21-23)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 155 and 174–176 of the Penal Code; Article 67 of the Labour Code (19,21)
Prohibition of Using Children in Illicit Activities	No		Article 155 of the Penal Code; Article 67 of the Labour Code (19,21)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 17 of the Law on Military Service (24)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 14 of the Law on Military Service (24)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 125 of the Penal Code (21)

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

Standard	Meets International Standards	Age	Legislation
Compulsory Education Age	Yes	16	Article 11 of the Education System Framework Law (25)
Free Public Education	Yes		Section 59 of the Constitution of the Democratic Republic of Timor-Leste; Article 11 of the Education System Framework Law (25,26)

Timor-Leste does not meet the international standard for the minimum age for work, because the minimum age for work is lower than the compulsory education age, and children may be encouraged to leave school before the completion of compulsory education. Technical advice from the ILO’s Committee of Experts on the Application of Conventions and Recommendations indicates that Timor-Leste’s Penal Code and Labor Code are not sufficient because they provide protections for children under age 17 only, which leaves children age 17 vulnerable to the worst forms of child labor, including commercial sexual exploitation and illicit activities. (18,19,21,27) The minimum age of 17 for hazardous work is not in compliance with international standards—which stipulate the age to be 18 and above—because children do not receive adequate training to protect their health, safety, and morals. (19,21) Although Timor-Leste has adopted the List of Hazardous and Prohibited Activities to Children Under the Age of 18, it is uncertain how it will be harmonized with the Labor Code and Penal Code. (2,20,28) Lastly, although the Labor Code specifies the conditions and number of hours permitted for light work for children ages 13 to 15, it does not specify which activities qualify as light work. (19)

Since the government enacted the Law to Prevent and Fight Against Human Trafficking—which expanded legal provisions on protection and prevention measures for the crime of human trafficking, including child trafficking—in 2017, all government ministries now must follow the law’s trafficking in persons guidelines. (2,10,23,29)

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 Social Solidarity and the Secretariat of State for Professional Training and Employment Policy (SEPFPOE) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Secretariat of State for Professional Training and Employment Policy (SEPFPOE)	Receives child labor complaints, and passes complaints to the Timor-Leste National Police (PNTL) for further investigation. (8) Enforces laws related to child labor. Administers the General Labor Inspectorate Directorate, which is responsible for investigating incidents of forced labor. (5,8)
Timor-Leste National Police (PNTL)	Enforces criminal laws against forced labor, commercial sexual exploitation, and human trafficking. Includes the Vulnerable Persons Unit (VPU), the immigration police, and the border police. (5,8)
Ministry of Social Solidarity	Receives referrals from agencies, including SEPFPOE, that are responsible for conducting child labor investigations and providing child victims with appropriate support services. (5) Maintains at least 1 technical officer in each of the country’s 13 districts and 2 child protection officers in each of the 65 subdistricts, all trained to follow the government’s standard operating procedures for referrals to service providers. (30-32) Due to budget shortfalls and political impasses, the Ministry was unable to implement child labor awareness programs and did not take additional specific actions during the reporting period. (33)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Timor-Leste took actions to combat child labor (Table 6). However, gaps exist within the operations of the SEPFPOE that may hinder adequate labor law enforcement, including labor inspector training.

Timor-Leste

MINIMAL ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$488,835 (8)	\$279,000 (8)
Number of Labor Inspectors	26 (2)	26 (8)
Inspectorate Authorized to Assess Penalties	Yes (2)	Yes (8)
Initial Training for New Labor Inspectors	N/A (2)	N/A (8)
Training on New Laws Related to Child Labor	No (2)	N/A (8)
Refresher Courses Provided	Unknown	No (33)
Number of Labor Inspections Conducted	1,721 (2)	1,600 (8)
Number Conducted at Worksite	Unknown (2)	Unknown (8)
Number of Child Labor Violations Found	0 (2)	0 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (2)	0 (8)
Number of Child Labor Penalties Imposed that Were Collected	0 (2)	0 (8)
Routine Inspections Conducted	Yes (2)	Yes (8)
Routine Inspections Targeted	Yes (2)	Yes (8)
Unannounced Inspections Permitted	Yes (2)	Yes (8)
Unannounced Inspections Conducted	Yes (2)	Yes (8)
Complaint Mechanism Exists	Yes (2)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (8)

In 2018, SEPFOPE labor inspectors did not receive specialized training on child labor enforcement. Even though labor inspectors conducted 1,600 inspections during 2018, the government did not pass a 2018 state budget until September, and therefore the SEPFOPE operated mostly month-to-month and only had enough funding to cover salaries and emergency expenditures. (8) The SEPFOPE also reported that the number of labor inspections conducted in 2018 was insufficient and is targeting 1,800 inspections for 2019. (8,33,34) Although Timor-Leste does meet the ILO’s technical advice of a ratio approaching 1 labor inspector for every 40,000 workers in less developed economies, the SEPFOPE reported that the number of labor inspectors is insufficient to conduct the required labor inspections, noting that none of the inspectors are solely dedicated to child labor issues. (8)

Research found that there are insufficient child labor enforcement protections for children working on family farms or in domestic work, likely because the SEPFOPE is limited to inspecting only formal worksites. (2) The SEPFOPE also had limited capacity to conduct inspections in Timor-Leste’s rural areas, where child labor in the agriculture sector is prevalent, due to a lack of available transportation, including funds to pay for fuel for government vehicles. (8,10,35)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Timor-Leste 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	N/A (2)	N/A (8)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (14)	N/A (8)
Refresher Courses Provided	N/A (2)	N/A (8)
Number of Investigations	4 (14)	0 (8)
Number of Violations Found	0 (2)	0 (8)
Number of Prosecutions Initiated	1 (14)	0 (8)
Number of Convictions	0 (14)	0 (8)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	N/A	Unknown (8,17)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (8)

In 2018, the Vulnerable Persons Unit of the Timor-Leste National Police (PNTL) had a staff of 97 investigators charged with the enforcement of criminal laws related to the worst forms of child labor. PNTL officers continued to receive human trafficking and victim identification training; however, this training was not specific to child trafficking issues. (8,10,32) The IOM also provided training to victim protection unit officers in the PNTL until September 2018 when the contract ended. (8) In 2018, the PNTL rescued a female victim from commercial sexual exploitation. (10)

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 insufficient funding.

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

Coordinating Body	Role & Description
National Commission Against Child Labor (CNTI)	Facilitates information sharing on child labor issues among government agencies and serves as the coordinating mechanism for filing and responding to child labor complaints. (35) Develops child labor policies, raises awareness, and contributes to efforts to ratify and implement international conventions related to child protection. (5) Chaired by SEPFOPE, serving a 3-year term as the Technical Secretariat. (35,36)
Inter-Agency Trafficking Working Group	Coordinates the government's efforts to combat human trafficking, develops and implements the National Action Plan on Combating Human Trafficking, and promotes the development of comprehensive anti-trafficking legislation. Chaired by the Ministry of Justice, and includes the participation of the Prime Minister's office. (10)

In 2018, the Inter-Agency Trafficking Working Group met on an ad hoc basis. (33) The Government of Timor-Leste began drafting implementation plans to replace the Inter-Agency Trafficking Working Group with an Anti-Human Trafficking Commission. However, the political impasse and lack of a budget for most of 2018 prevented the Anti-Human Trafficking Commission (which will have oversight on the Law to Prevent and Fight Against Human Trafficking) from being launched during the reporting year. (10,33) The government has not yet established the new Anti-Human Trafficking Commission, which will have oversight on the Law to Prevent and Fight Against Human Trafficking. (10) Minimal outreach efforts were undertaken by the National Commission Against Child Labor (CNTI) to coordinate child labor policies, including sharing information on an ad hoc basis with employers and the public. (33)

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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
Timor-Leste Project for the Elimination of the Worst Forms of Child Labor	Aims to strengthen implementation of ILO C. 182 by establishing the Child Labor Commission Working Group, developing a hazardous work list, and creating a national action plan against child labor. Launched in 2009 in partnership with ILO and the government of Brazil. (35) Due to a lack of budget, this policy was not active in 2018.
Timor-Leste Strategic Development Plan (2011–2030)	Provides short- and long-term plans for the nation's development, including the eradication of the worst forms of child labor; poverty alleviation, and implementation of social transfer programs. (5,37) Specifies commitments to improve the educational system over the next 20 years. (37) Due to a lack of budget, this policy was not active in 2018.
National Action Plan Against Human Trafficking in Timor-Leste (2016–2018)	Guides the government's efforts to combat human trafficking in Timor-Leste through prevention, protection, prosecution, and partnerships. The Ministry of Justice coordinates activities and responsibilities and the Prime Minister's Office as the Co-Chair. (10,38,39) Due to a lack of budget, this policy was not active in 2018.

The CNTI finalized the National Action Plan Against Child Labor in 2016, which aims to eliminate child labor in Timor-Leste in its worst forms by 2025 and in all its forms by 2030. (2,8,16,33,36,40) Even though the Council of Ministers has not yet approved the plan, key stakeholders—including community-based organizations, NGOs and donor nations—have begun to implement it. (8,16,33) Even though no programs were implemented in 2018, the

Timor-Leste

MINIMAL ADVANCEMENT

Prime Minister's Office did convene different agencies to develop an implementation plan for the National Action Plan on Against Human Trafficking through the Inter-Agency Trafficking Working Group. (10)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that may contribute to preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Labor Education and Outreach Program†	SEPFPOPE and CNTI education and awareness-raising program, located in five primary schools in Dili that target children who are at risk for involvement in child labor. (35) Research was unable to determine whether the Child Labor Education and Outreach Program was active or whether activities were undertaken to implement the program during the reporting period.
Services for Street Children†	Government-funded safe house and support services for street children provided by the Youth Communication Forum. (43) Research was unable to determine whether the Services for Street Children program was active or whether activities were undertaken to implement the program during the reporting period.
Mother's Purse (Bolsa Mãe)†	Ministry of Social Solidarity program that provides an annual cash subsidy of \$60 to \$180 to poor families with a female head of household. Aims to improve the well-being of children by conditioning the subsidy on children's school attendance and regular medical visits. (35,44) Assisted 60,900 families in 2018. (17)
Casa Vida†	Joint program between the Timor-Leste Ministry of Social Solidarity and the Australian Department of Foreign Affairs and Trade's Nabilian Program and Shelter Initiative. Provides shelter, health assistance, and psychological counseling to minor victims, including victims of child labor and its worst forms. (10) Receives referrals from civil society organizations as well as PNTL/VPU. In 2018, received funding from the Ministry of Social Solidarity during the political impasse and continued offering services. (45)

† Program is funded by the Government of Timor-Leste.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms. (5,31,46,41,47-50)

Although the government has implemented programs to address child labor, research found no evidence that it has developed programs to assist children working in agriculture and on family farms, or children involved in the worst forms of child labor, including commercial sexual exploitation.

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 Timor-Leste (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018
	Ensure that children receive adequate training and that the health, safety, and morals of the child are protected in accordance with international minimum age standards for hazardous work.	2017 – 2018
	Ensure that the law protects children between the ages of 17 and 18 from engaging in all worst forms of child labor, such as commercial sexual exploitation and involvement in illicit activities.	2013 – 2018
	Ensure that the law's light work provisions are specific enough to prevent children from becoming involved in child labor.	2016 – 2018
	Ensure that the List of Hazardous Occupations and Activities Prohibited for Children and the Law to Prevent and Fight Against Human Trafficking are harmonized with the Labor Code and Penal Code.	2017 – 2018
Enforcement	Ensure that labor inspectors receive refresher courses on laws related to child labor.	2018
	Publish labor law enforcement information, including the number of labor inspections conducted at worksites.	2015 – 2018
	Provide the resources and training needed to enforce laws related to child labor, including adequate transportation for labor inspectors to conduct inspections in rural areas of Timor-Leste.	2016 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the Secretariat of State for Professional Training and Employment Policy is staffed with the appropriate number of labor inspectors to conduct the targeted number of labor inspections.	2018
	Build enforcement capacity to address child labor protections for children who work in the informal sector, including on family farms and in domestic work.	2017 – 2018
	Ensure that the Timor-Leste National Police receives training on child trafficking.	2018
Coordination	Ensure that the Inter-Agency Trafficking Working Group, or its replacement, meets on a regular basis.	2018
	Ensure that there is a sufficient budget to seamlessly transition the Inter-Agency Trafficking Working Group into the new Anti-Trafficking Commission.	2018
Government Policies	Approve the National Action Plan Against Child Labor.	2016 – 2018
	Integrate child labor elimination and prevention strategies into existing policies, including the National Education Strategic Plan and the Child and Family Welfare System Policy.	2014 – 2018
	Take steps to fully implement the National Action Plan to Combat Human Trafficking.	2017 – 2018
	Take steps to fully implement the Timor-Leste Project for the Elimination of the Worst Forms of Child Labor.	2017 – 2018
	Take steps to fully implement the Timor-Leste Strategic Development Plan.	2017 – 2018
Social Programs	Create social programs targeting working children, particularly in agriculture and working on family farms, and children engaged in the worst forms of child labor, including commercial sexual exploitation.	2017 – 2018
	Create social programs that sufficiently cover education fees, including school uniforms and supplies.	2018
	Ensure that the Child Labor Education and Outreach Program is active and fully funded, and publish activities undertaken during the year.	2018
	Ensure that the Services for Street Children program is active and fully funded, and publish activities undertaken during the year.	2018

REFERENCES

- UNICEF. Situation Analysis of Children in Timor-Leste. 2014. http://www.statistics.gov.tl/wp-content/uploads/2014/09/Situation_analysis_of_children_in_Timor-Leste.pdf.
- U.S. Embassy- Dili. Reporting. January 19, 2018.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Timor-Leste Survey of Living Standards (TLSLS), 2007. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Dili. Reporting. January 17, 2014.
- Government of Timor-Leste. Timor-Leste Labour Force Survey 2013. 2015. Source on file.
- U.S. Department of State. Trafficking in Persons Report- 2014: Timor-Leste. Washington, DC. June 2014. <https://www.state.gov/j/tip/rls/tiprpt/countries/2014/226833.htm>.
- U.S. Embassy- Dili. Reporting. February 8, 2019.
- UNICEF Australia. See how children in Timor-Leste are seizing the chance to learn. November 17, 2016. <https://www.unicef.org.au/blog/unicef-in-action/november-2016/see-how-children-in-timor-lest-are-seizing-the-chance-to-learn>.
- U.S. Embassy- Dili. Reporting. March 5, 2019.
- Neubauer, Ian Lloyd. Toxic cost of rubbish scavenging in East Timor. November 19, 2017. <https://www.aljazeera.com/news/2017/11/toxic-cost-rubbish-scavenging-east-timor-171119195511456.html>.
- The Asia Foundation. The State of Conflict and Violence in Asia. October 11, 2017. <https://asiafoundation.org/publication/state-conflict-violence-asia/>.
- U.S. Department of State. Trafficking in Persons Report- 2018: Timor-Leste. Washington, DC. June 2018. <https://https://www.state.gov/reports/2018-trafficking-in-persons-report/timor-lest/>.
- U.S. Embassy- Dili. Reporting. February 20, 2018.
- UN Committee on the Rights of the Child. Concluding observations on the combined second and third periodic reports of Timor-Leste. October 30, 2015: CRC/C/TLS/CO/2-3. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=828&Lang=en.
- Government of Timor-Leste. Let’s Commit to the Betterment of our Children! Draft National Action Plan to Eliminate the Worst Forms of Child Labour in Timor-Leste, Phase I 2017–2021. August 16, 2016. Source on file.
- U.S. Embassy- Dili official. Email communication to USDOL official. July 10, 2019.
- U.S. Department of State. Country Reports on Human Rights Practices- 2018: Timor-Leste. Washington, DC, March 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/timor-lest/>.
- Government of Timor-Leste. Labour Code, Law 4/2012. Enacted: 2012. Source on file.
- Government of Timor-Leste. List of Hazardous and Prohibited Activities to Children Under the Age of 18. Source on file.
- Government of Timor-Leste. Penal Code of Timor-Leste, Law No. 19/2009. Enacted: June 7, 2009. https://www.unodc.org/res/cld/document/penal-code_html/Penal_Code_Law_No_19_2009.pdf.
- Government of Timor-Leste. Immigration and Asylum Act. Enacted: 2003. Source on file.

Timor-Leste

MINIMAL ADVANCEMENT

- 23 Government of Timor-Leste. Law on Preventing and Combatting Trafficking in Persons. Enacted: January 23, 2017. Source on file.
- 24 Government of Timor-Leste. Regulation of the Military Service Law. Enacted: April 8, 2009. Source on file.
- 25 Government of Timor-Leste. Education System Framework Law, No. 14. Enacted: October 29, 2008.
http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&pisn=89748.
- 26 Government of Timor-Leste. Constitution of the Democratic Republic of Timor-Leste. Enacted: November 28, 1975.
http://timor-leste.gov.tl/wp-content/uploads/2010/03/Constitution_RDTL_ENG.pdf.
- 27 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Timor-Leste (Ratification: 2009) Published: 2018. Accessed: March 29, 2018.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3339704.
- 28 U.S. Embassy- Dili official. Email communication to USDOL official. April 11, 2018.
- 29 U.S. Department of State. Trafficking in Persons Report- 2017: Timor-Leste. Washington, DC. June 27, 2017.
<https://www.state.gov/reports/2017-trafficking-in-persons-report/timor-leste/>.
- 30 U.S. Embassy- Dili. Reporting. February 17, 2015.
- 31 U.S. Embassy- Dili. Reporting. February 14, 2014.
- 32 U.S. Embassy- Dili official. Email communication to USDOL official. February 9, 2016.
- 33 U.S. Embassy- Dili official. Email communication to USDOL official. February 20, 2019.
- 34 UN. World Economic Situation and Prospects. 2019 Statistical Annex. New York. 2019.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019_BOOK-web.pdf.
- 35 U.S. Embassy- Dili. Reporting. January 15, 2015.
- 36 U.S. Embassy- Dili. Reporting. January 8, 2017.
- 37 Government of Timor-Leste. Timor-Leste Strategic Development Plan 2011-2030. 2011. Source on file.
- 38 U.S. Embassy- Dili. Reporting. February 17, 2017.
- 39 Government of Timor-Leste. National Action Plan Against Human Trafficking in Timor-Leste 2016-2018. March 21, 2016. Source on file.
- 40 ILO-IPEC. National workshop and drafting process to develop the National Action Plan (NAP) on Child Labour and Forced Labour in Timor-Leste 2016.
http://www.ilo.org/jakarta/whatwedo/eventsandmeetings/WCMS_514115/lang--en/index.htm.
- 41 ILO-IPEC. Global Action Program on Child Labor Issues. Technical Progress Report. October 2016. Source on file.
- 42 ILO-IPEC. Measurement, Awareness-raising and Policy Engagement (MAP'16) project on child labor and forced labor in support of SDG Target 8.7. 2017: Technical Progress Report. Source on file.
- 43 U.S. Embassy- Dili official. Email communication to USDOL official. January 24, 2017.
- 44 U.S. Embassy- Dili. Email communication to USDOL official. February 6, 2017.
- 45 U.S. Embassy- Dili official. Email communication to USDOL official. April 7, 2019.
- 46 UNICEF. Strengthening Justice and Welfare Systems for Children in Timor-Leste. End-of-project Review, Summary version. May 2016.
https://www.unicef.org/timorleste/Stengthening_Justice_and_Welfare_Summary_Report_Final_July_21.pdf.
- 47 ILO-IPEC. Estudo Sobre a Aplicação das Convenções N.º 138 e N.º 182 da OIT e suas Recomendações na Legislação Nacional dos Países da CPLP Programa Internacional para a Eliminação do Trabalho Infantil (IPEC). 2012. Source on file.
- 48 U.S. Embassy- Dili official. Email communication to USDOL official. January 31, 2014.
- 49 U.S. Embassy- Dili. Reporting. January 15, 2016.
- 50 U.S. Department of State. Office to Monitor and Combat Trafficking in Persons: Anti-Trafficking Projects Funded in FY 2015. November 2, 2015. Source on file.

In 2018, Togo made a moderate advancement in efforts to eliminate the worst forms of child labor. The government added a toll-free texting platform to its Allo 1011 hotline and made data available in real time through an online platform that is disaggregated by type. In addition, it signed a bilateral agreement with the Government of Gabon to increase cooperation in combating trafficking in persons and, with the support of the World Bank, provided 5.7 million school meals and constructed 80 new primary schools. However, children in Togo engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in domestic work. The government has not devoted sufficient resources to combat child labor, and labor inspectors are not authorized to assess penalties for child labor violations. In addition, the government does not collect and publish data related to its efforts to enforce child labor laws.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Togo engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in domestic work. (I-10) Table 1 provides key indicators on children's work and education in Togo.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	29.6 (unavailable)
Attending School (%)	5 to 14	86.1
Combining Work and School (%)	7 to 14	29.5
Primary Completion Rate (%)		90.9

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (11)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey, 2013–2014. (12)

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	Working in agriculture, including spraying pesticides (3,7,10,13)
	Production of charcoal† (10)
Industry	Working in quarries and sand mines, including excavating, crushing rocks, sifting gravel, and carrying heavy loads† (2,8,13-15)
	Working in tailoring (16)
	Construction (3,8,10)
Services	Domestic work† (1-4,6,7,13,15)
	Carrying heavy loads,† and small-scale vending in markets (10,12,17)
	Work as motorcycle repairmen (8,10,18,19)
	Garbage scavenging (8,10,18)
Categorical Worst Forms of Child Labor‡	Forced begging (17,18)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3,8,9,13,15,20)
	Forced labor in agriculture, including coffee, cocoa, and cotton; domestic work; quarries; and markets, including carrying heavy loads; each sometimes as a result of human trafficking (4,17,20)

† 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.

Togo is a source and transit country for victims of human trafficking to neighboring countries, primarily for domestic work, work in agriculture, and commercial sexual exploitation. (3,4,6,20-22) Parents may be complicit

MODERATE ADVANCEMENT

in child trafficking as a result of *confiage*, which involves sending a child to a relative or friend to attend school in a larger town or city, a practice that may place children at risk of exploitation as a result of internal human trafficking. (3-5,9,22,23)

Although education is free and compulsory by law, parents are responsible for paying associated fees and buying uniforms and school supplies, which makes education prohibitive for many families. (24-27) Research found that long distances to schools, as well as physical and sexual abuse in schools, also posed barriers to education for some children. (9,24,26-30)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Togo 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's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 150 of the Labor Code; Article 262 of the Children's Code; Article 881.1a of the Penal Code (31-33)
Minimum Age for Hazardous Work	Yes	18	Article 151 of the Labor Code; Articles 6–12 of Ministerial Order No. 1464 Determining the Work Prohibited to Children (31,34)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 6–12 of Ministerial Order No. 1464 Determining the Work Prohibited to Children; Articles 263–264 of the Children's Code; Articles 319.9 and 882 of the Penal Code; Article 151 of the Labor Code (31-34)
Prohibition of Forced Labor	Yes		Articles 4 and 151 of the Labor Code; Articles 264 and 411 of the Children's Code; Articles 150.3 and 151 of the Penal Code (31-33)
Prohibition of Child Trafficking	Yes		Article 151 of the Labor Code; Articles 2–6 of Law No. 2005-009 Suppressing Child Trafficking in Togo; Articles 264 and 411–414 of the Children's Code; Articles 150.3, 151, 317–323, and 882 of the Penal Code (31-33,35)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 151 of the Labor Code; Articles 264, 276.f, and 387–390 of the Children's Code; Article 224 of the Penal Code (31-33)
Prohibition of Using Children in Illicit Activities	Yes		Article 151 of the Labor Code; Articles 264, 276.i, and 405 of the Children's Code; Articles 317.7, 319.9, and 329.8 of the Penal Code (31-33)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 426 of the Children's Code; Article 42 of Law No. 2007-010 Regarding the General Statute of the Togolese Armed Forces (32,36)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 426 of the Children's Code; Articles 146.14, 147.11, and 342 of the Penal Code (32,33)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 426 of the Children's Code; Articles 146.14, 147.11, and 342 of the Penal Code (32,33)
Compulsory Education Age	Yes	15	Article 35 of the Constitution; Article 255 of the Children's Code (32,37)
Free Public Education	Yes		Article 35 of the Constitution (37)

* No conscription (36)

In 2018, trade unions continued to work with the government to harmonize domestic statutes with ILO C. 189 on Domestic Work. (38)

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 authority of the Ministry of Civil Service, Labor, and Administrative Reform (MOL) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Civil Service, Labor, and Administrative Reform (MOL)	Enforces all labor laws, including child labor laws. (3,27) Through its Unit to Combat Child Labor (CELTE), withdraws children from child labor situations, raises awareness, and collects data. (10) Focal points in the inspectorate are located in each of the five regions to monitor child labor issues and raise awareness at the local level. (39)
Ministry of Justice and Government Relations	Enforces criminal laws related to the worst forms of child labor, and prosecutes violators. (10)
Ministry of Social Action, Promotion of Women and Literacy (MASPFA), Director General for the Protection of Children	Raises awareness of child labor issues, enforces laws against the worst forms of child labor, provides technical assistance, and leads government efforts to combat human trafficking. (3,19,40) Supports a network of 42 foster families in 4 regional capitals. (13) Operates the Allo 1011 hotline for reporting child abuse, including child trafficking. (3,13,20,41) In 2018, added a toll-free texting platform and made data available in real time through an online platform that disaggregates these data by type. (13,42) Between its launch in March and the end of 2018, identified at least six verified cases related to child trafficking through calls to the hotline, which were referred, as appropriate. (13,42) In 2018, received a \$300,000 budget allocation to conduct awareness-raising activities, reaching approximately 20,000 citizens in central Togo, which is the origin or destination for many victims of trafficking. (23)
Ministry of Security's Division of Drugs, Morals, and Pimping	Investigates crimes involving child victims, including child trafficking. In all five regions of Togo, operates as part of the National Police. (43)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Togo took actions to combat child labor (Table 6). However, gaps exist within the operations of MOL that may hinder adequate labor law enforcement, including conducting inspections in all relevant sectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (44)	\$77,193 (10)
Number of Labor Inspectors	131 (10)	131 (10)
Inspectorate Authorized to Assess Penalties	No (31)	No (31)
Initial Training for New Labor Inspectors	Yes (44)	Yes (13)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Unknown
Number of Labor Inspections Conducted	500 (44)	385 (10)
Number Conducted at Worksite	Unknown (44)	385 (10)

MODERATE ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Number of Child Labor Violations Found	66 (44)	Unknown (10)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (44)	Unknown (10)
Number of Child Labor Penalties Imposed that Were Collected	N/A	Unknown (10)
Routine Inspections Conducted	Yes (44)	Yes (10)
Routine Inspections Targeted	Unknown (44)	Unknown (10)
Unannounced Inspections Permitted	Yes (31)	Yes (31)
Unannounced Inspections Conducted	Yes (44)	Yes (10)
Complaint Mechanism Exists	Yes (44)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (44)	Yes (13)

In addition to the 131 labor inspectors, MOL also employs 60 tax and health inspectors who may report labor infractions. (10) MOL lacks sufficient resources for transportation, which may hinder its ability to conduct investigations, and reported a limited number of inspections at informal work sites, in which child labor primarily occurs. (10,27) In addition, the Labor Code makes labor inspectors responsible for reconciliation and arbitration in collective disputes, which may detract from their primary duties of conducting inspections and enforcing the Labor Code. (31,45)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Togo 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 and prosecution planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (44)	Yes (13)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	No (44)	Yes (23)
Number of Investigations	Unknown (44)	Unknown
Number of Violations Found	3 (44)	118 (23)
Number of Prosecutions Initiated	Unknown (44)	Unknown
Number of Convictions	Unknown (44)	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (44)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (44)	Yes (13)

Investigators lacked financial and physical resources to adequately enforce the law. Research also indicates that poor record keeping, a shortage of physical copies of existing child labor laws throughout the country, and high turnover result in gaps in knowledge and enforcement capacity. (44,46) Cases involving child trafficking may be settled outside of court due to difficulties gathering evidence, and judges may be reluctant to impose fines or prison sentences for parents due to a fear of perpetuating the poverty that originally led them to violate child trafficking laws. (17,20)

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 may hinder the effective coordination of efforts to address child labor, including funding constraints.

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

Coordinating Body	Role & Description
National Steering Committee for the Prohibition and Elimination of the Worst Forms of Child Labor (CDN)	Coordinates and oversees all government efforts to combat child labor, including the approval of all action plans for the abolition of child labor. (3,13) Comprises representatives from 17 ministries and NGOs; MOL's CELTE serves as the permanent secretariat. (13)
MASPFA's Anti-Trafficking in Persons Cell	Coordinates government efforts to combat human trafficking. (3,20,22) Compiles statistics on human trafficking and serves as the point of contact for repatriated child victims. (20) Comprises representatives from NGOs and six ministries, including MOL and MASPFA. (13) Responded to tips from the Allo 1011 hotline with police on an ad hoc basis and met regularly during the reporting period. (20) The government allocated approximately \$20,000 for cash assistance to victims in 2018. (23)
Local Vigilance Committees	Overseen by CDN and composed of local government officials and community members. (13) Raise awareness at the community level, identify child victims or children at risk, track returnees, and share information on human trafficking trends and prevention efforts with MASPFA's Anti-Trafficking in Persons Cell. (3,20,23) Some local vigilance committees were active during the reporting period. (10)

All coordinating bodies were active during the reporting period, although the Government of Togo does not reliably disburse the allocated budget for the National Steering Committee for the Prohibition and Elimination of the Worst Forms of Child Labor, limiting its ability to combat child labor and support data collection efforts. (13)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that may hinder efforts to address child labor, including implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy of Social Protection	MASPFA policy that aims to improve social safety nets, strengthen mechanisms to combat the exploitation of children, and promote systematic birth registration. (47)
Multilateral Agreements to Combat Child Trafficking	Quadripartite agreement among the governments of Benin, Ghana, Nigeria, and Togo that works to prevent child trafficking along the countries' shared borders. Multilateral accords for West and Central Africa promote cooperation among regional states to combat child trafficking. (3,20,26) In 2018, signed a bilateral agreement with the Government of Gabon to increase cooperation in combating trafficking in persons, returning victims to Togo, and prosecuting offenders. (48)
National Development Plan (2018–2022)†	Aims to improve economic growth, structurally transform the Togolese economy, and strengthen social protection and inclusion measures, including the implementation of a national biometric identification system. (23,49) In support of this, the government created a technical committee to reorganize the registry office to ensure that all births are recorded. (23)

† 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. (29,50)

Research was unable to determine whether all policies were active during the reporting period. A National Plan of Action Against Child Labor is undergoing technical validation, but has yet to be adopted. (16,26) The Ministry of Social Action, Promotion of Women and Literacy's Anti-Trafficking in Persons Cell is working on a draft national action plan to combat human trafficking, and the Council of Ministers is reviewing a draft decree to create a coordinating body that would oversee its implementation. (23) The government has not included child labor elimination and prevention strategies in the Education Sector Plan (2010–2020). (51)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that may contribute to 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.

MODERATE ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor

Program	Description
World Bank-Funded Programs	Projects that combat child labor by improving social safety nets for vulnerable families and increasing access to education. Include Education and Institutional Strengthening Project 2 (2015–2019), a \$27.8 million project that aims to revise course textbooks for grades one through three, provide teacher training, identify recipients of school grants, and select 80 sites for promoting girls' education; and the Safety Nets and Basic Services Project (2017–2020), a \$29 million project implemented by MASPFA and the Ministry of Grassroots Development that aims to provide social safety nets to poor communities. (19,52-56) In 2018, provided 5.7 million school meals to nearly 50,000 students at 161 schools; transferred school grants to 1,650 primary schools, constructed 80 new primary schools, and distributed uniforms to 54,636 girls. (56,57)
National Fund for Inclusive Finance†	Government program administered by the State Secretariat to the Presidency of the Republic that provides loans of up to \$60 to women in rural areas of Northern Togo, aiming to reduce the demand for income provided by engaging in child labor. (10,13,58) In 2018, provided support to 9,000 rural families. (10)
Shelters for Vulnerable Children‡	MASPFA-funded or government-supported centers that provide temporary shelter and services for victims, including those referred by the Allo 1011 hotline. (13,16,20,40,59) Victims may be transferred to independent NGO-run shelters for longer-term support. (19,20,59)
School Feeding Program†	Provides school lunches in rural areas to promote school enrollment, particularly for girls. (19,26,30,55) This program was active during the reporting period. (16)
Forum of Traditional and Religious Chiefs of Togo on the Harmful Social and Cultural Practices that Affect Children‡	MASPFA-funded program that aims to eliminate traditional practices that may contribute to child trafficking by educating local leaders on child labor issues and the importance of education. (10) This program was active during the reporting period. (23)

† Program is funded by the Government of Togo

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (13,27,55)

Social programs focus on alleviating poverty and promoting education rather than targeting specific sectors of child labor, such as domestic work, and the government relies heavily on NGOs and international organizations for implementation. (10,46) A shortage of funds may hinder program implementation. (46) As a result, the scope of existing programs is insufficient to fully address the extent of the problem, including in commercial sexual exploitation and domestic work. Many of these interventions may not be sustainable over the long term.

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 Togo (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information about the number of violations found, penalties imposed and collected, whether routine inspections targeted high-risk sectors, and data related to criminal law enforcement, including the number of investigations conducted, prosecutions initiated, and convictions made.	2010 – 2018
	Strengthen the labor inspectorate by authorizing the inspectorate to assess penalties.	2014 – 2018
	Ensure that labor inspectors receive refresher courses.	2009 – 2018
	Ensure that labor inspectors have the time and resources to carry out their primary duties of inspection and monitoring of labor laws throughout the country, including in the informal sector.	2009 – 2018
	Ensure that criminal investigators have sufficient financial and physical resources to adequately enforce criminal laws against child labor.	2017 – 2018
	Enforce penalties for labor violations according to the law.	2014 – 2018
Coordination	Provide coordinating bodies with sufficient resources to implement their mandates to combat child labor.	2009 – 2016; 2018
Government Policies	Ensure that policies are implemented as intended and that child labor indicators are included in all relevant policies.	2016 – 2018
	Integrate child labor elimination and prevention strategies into the Education Sector Plan.	2013 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Increase access to education by eliminating school-related fees; ensuring that schools are free from sexual and physical violence; and increasing the number of schools, especially in rural areas.	2010 – 2018
	Ensure that social protection programs to combat child labor receive adequate funding, are sufficient to address the scope of the problem in all relevant sectors, and promote the long-term sustainability of project initiatives.	2009 – 2018

REFERENCES

- WAO-Afrique. Analyse de l'estimation rapide du travail des enfants dans le travail domestique au Togo. Brussels: July 2013. Source on file.
- Direction Générale de la Statistique et de la Comptabilité Nationale de la République Togolaise. Rapport Final de l'Enquête Nationale sur le Travail des Enfants au Togo. Geneva: ILO-IPEC, 2010: RAF/06/06/FRA. Source on file.
- UCW. Togo: comprendre le travail des enfants et l'emploi des jeunes. Rome: November 2013. http://www.ucw-project.org/attachment/Togo_travail_enfants_emploi_jeunes20131118_130728.pdf.
- Plan Togo. Remember the Real Cinderellas. March 27, 2015. Source on file.
- UCW. Priorités et rôles des acteurs publics dans la lutte contre le travail des enfants. Rome: June 2015. http://www.ucw-project.org/attachment/18052016738Priorités_rôles_acteurs_publics_lutte_travail_enfants_Togo_rev.pdf.
- Adjovi, Laeila. The plight of Togo's trafficked children. London: British Broadcasting Corporation (BBC), August 19, 2015. <http://www.bbc.com/news/world-africa-33984149>.
- ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Togo (ratification: 1984). Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3289901.
- Direction Générale de la Statistique et de la Comptabilité Nationale de la République Togolaise. Rapport Final de l'Enquête de Base sur le Travail des Enfants au Togo. Geneva: ILO-IPEC, 2010: TOG/07/01P/USA.
- UN Human Rights Council. Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21 - Togo. Geneva: August 22, 2016: A/HRC/WG.6/26/TGO/2. <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/WG.6/26/TGO/2&Lang=E>.
- U.S. Embassy- Lome. Reporting. March 19, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Demographic and Health Survey, 2013-2014, Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Lome. Reporting. September 26, 2018.
- N'Diaye, F.C. Genre et travail des enfants dans les mines et carrières au Burkina Faso, au Mali et au Togo: Synthèse des études de cas. ILO, October 2013. http://www.ilo.org/wcmsp5/groups/public/---africa/---ro-addis_ababa/---sro-dakar/documents/publication/wcms_228135.pdf.
- UCW. Priorités et rôles des acteurs publics dans la lutte contre le travail des enfants. June 2015. http://www.ucw-project.org/attachment/18052016738Priorités_rôles_acteurs_publics_lutte_travail_enfants_Togo_rev.pdf.
- U.S. Embassy- Lome official. Email communication to U.S. DOL official. July 9, 2019.
- MOJ Official. Interview with USDOL Official. June 27, 2018.
- CDN and CNARSEVT Officials. Interview with USDOL Official. June 25, 2018.
- MSPFA Official. Interview with USDOL Official. June 26, 2018.
- U.S. Department of State. Trafficking in Persons Report- 2018: Togo. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/togo/>
- Modern Ghana. IOM Helps Togolese Girls Trafficked in Gabon to Return Home. November 20, 2015. <http://www.modernghana.com/news/657075/1/iom-helps-togolese-girls-trafficked-in-gabon-to-re.html>.
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Togo (ratification: 2000) Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3289894.
- U.S. Embassy- Lome. Reporting. February 22, 2019.
- Education Global Practice - Africa Region. Implementation Completion and Results Report (TF-97340) on a Grant from the Education for All - Fast Track Initiative Catalytic Fund in the Amount of US\$45 Million to the Republic of Togo for an Education and Institutional Strengthening Project (PERI). Washington, DC: World Bank, 2015. http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2015/11/09/090224b0831a5372/1_0/Rendered/PDF/Togo000Educati0ening0Project00PERI0.pdf.
- UN Human Rights Council. Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21 - Togo. Geneva: August 17, 2016: A/HRC/WG.6/26/TGO/3. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/183/12/PDF/G1618312.pdf?OpenElement>.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Togo (ratification: 2000). Published: 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:3289898.
- U.S. Department of State. Country Reports on Human Rights Practices- 2018: Togo. Washington, DC, March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/togo/>.
- Associated Press. Togolese children suffer violence at school. News clip. Youtube. July 30, 2015. Source on file.
- Togo Breaking News. Education sensible au genre et sans violence: Plan international s'investit dans les régions Centrale et des Plateaux. September 23, 2015. Source on file.
- Ministry of Education Official. Interview with USDOL Official. June 29, 2018.

MODERATE ADVANCEMENT

- 31 Government of the Republic of Togo. Loi No. 2006- Portant Code du Travail. Enacted: December 5, 2006.
www.droit-afrique.com/images/textes/Togo/Togo - Code du travail.pdf.
- 32 Government of the Republic of Togo. Loi No. 2007-017 portant code de l'enfant Enacted: July 6, 2007.
http://www.ilo.org/dyn/natlex/docs/SERIAL/81964/95152/F1737117949/code_enfant.pdf.
- 33 Government of the Republic of Togo. Loi No. 2015-010 portant nouveau code pénal. Enacted: November 24, 2015.
https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=104616&p_count=2&p_classification=01.
- 34 Government of the Republic of Togo. Arrêté No. 1464 - Déterminant les travaux interdits aux enfants conformément au point 4 de l'article 151 de la loi n°2006-010 du 13 décembre 2006 portant code du travail. Enacted: November 12, 2007.
<http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/77627/82451/F-576214523/TGO-77627.pdf>.
- 35 Government of the Republic of Togo. Loi No. 2005-009 relative au trafic d'enfants au Togo. Enacted: August 3, 2005.
http://www.ilo.org/dyn/natlex/docs/SERIAL/72058/72983/F1981134441/trafic_enfants.pdf.
- 36 Government of the Republic of Togo. Loi No. 2007-010 portant statut général des personnels militaires des forces armées togolaises. Enacted: February 2007.
<http://www.ilo.org/dyn/natlex/docs/SERIAL/77509/82181/F1787162033/TGO-77509.pdf>.
- 37 Government of the Republic of Togo. La Constitution de la IVème République. Enacted: October 14, 1992.
<http://www.refworld.org/docid/48ef43c72.html>.
- 38 Labor Union Officials. Interview with USDOL Official. June 26, 2018.
- 39 ILO. Manuel de Formation des Inspecteurs du Travail, des Agents Sociaux, des Magistrat et des Forces de l'Ordre et de Sécurité sur le Travail des Enfants. July 2013. Source on file.
- 40 Focus Infos. Près de 5000 enfants de rue au Togo: la prise en charge est-elle efficace. February 12, 2015.
<http://www.manationtogo.com/pres-de-5000-enfants-de-rue-au-togo-la-prise-en-charge-est-elle-efficace/>.
- 41 iciLome. Togo « Allô 101 ! »: la ligne verte gratuite disponible pour dénoncer cas d'abus sur un enfant. March 17, 2018.
<http://news.icilome.com/?idnews=847291>.
- 42 Ministère de l'Action Sociale de la Promotion de la Femme et de l'Alphabétisation, Direction Générale de la Protection de l'Enfance. Allo 101 ! Togo [website]. Accessed March 13, 2019.
<https://allo101togo.crowdmap.com>.
- 43 Ministry of Security and Civil Protection Official. Interview with USDOL Official. June 28, 2018.
- 44 U.S. Embassy- Lome. Reporting. January 29, 2018.
- 45 ILO Committee of Experts. Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) Togo (ratification: 2012). Published: 2015.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3189536.
- 46 U.S. Embassy- Lome. Reporting. February 9, 2018.
- 47 Ministère de l'Action Sociale de la Promotion de la Femme et de l'Alphabétisation. Politique Nationale de l'Action Sociale. January 2014. Source on file.
- 48 Gouvernement de la République Gabonaise et le Gouvernement de la République Togolaise. Accord de Coopération entre le Gouvernement de la République Gabonaise et le Gouvernement de la République Togolaise en Matière de Lutte Contre la Traite des Enfants. September 25, 2018. Source on file.
- 49 Government of the Republic of Togo. Tout Savoir sur le PND du Togo 2018-2022. 2019.
<http://togoembassylondon.com/wp-content/uploads/2019/02/Tout-savoir-sur-le-PND-du-Togo-2018-2022-Francais.pdf>.
- 50 Government of the Republic of Togo. African Charter on Maritime Security and Safety and Development in Africa (Lomé Charter). October 15, 2016.
https://au.int/sites/default/files/treaties/33128-treaty-0060_-_lome_charter_e.pdf.
- 51 Government of the Republic of Togo. Plan Sectoriel de l'Education PSE 2014-2025 - Amélioration de l'Accès, de l'Equité et de la Qualité de l'Education au Togo. January 2014.
<http://www.globalpartnership.org/fr/content/plan-sectoriel-education-togo>.
- 52 World Bank. Education and Institutional Strengthening Project 2 (PI46294). June 9, 2016: Implementation Status & Results Report.
<http://documents.worldbank.org/curated/en/779031468302081206/pdf/ISR-Disclosable-PI46294-06-09-2016-1465455941435.pdf>.
- 53 World Bank. Proposed Restructuring and Additional Credit in the Amount of SDR 7.9 Million (US\$12.1 Million Equivalent) to the Republic of Togo for the Community Development and Safety Nets Project. February 11, 2014: PROJECT PAPER.
<http://documents.worldbank.org/curated/en/587671468312909243/pdf/PAD7500P127200010Box382145B00OUO090.pdf>.
- 54 World Bank. Proposed Grant in the Amount of 21.4 Million (US\$29 Million Equivalent) to the Republic of Togo for a Safety Nets and Basic Services Project. February 28, 2017: Project Appraisal Document.
<http://documents.worldbank.org/curated/en/291621488823421945/pdf/Project-Appraisal-Document-PAD-P157038-03022017.pdf>.
- 55 ILO. Togo: Analyse du système de protection sociale à travers le processus SPPOT: Vers un socle national de protection sociale. Geneva, 2018.
<https://www.social-protection.org/gimi/RessourcePDF.action?id=55261>.
- 56 World Bank. TOGO - Education and Institutional Strengthening Project 2 Implementation Status & Results Report. December 31, 2018.
<http://documents.worldbank.org/curated/en/706871546267620904/pdf/Disclosable-Version-of-the-ISR-TOGO-Education-and-Institutional-Strengthening-Project-2-PI46294-Sequence-No-07.pdf>.
- 57 World Bank. Safety Nets and Basic Services Project Implementation Status & Results Report. January 4, 2019.
<http://documents.worldbank.org/curated/en/857031546632481999/pdf/Disclosable-Version-of-the-ISR-Safety-Nets-and-Basic-Services-Project-P157038-Sequence-No-04.pdf>.
- 58 Agboh, Anani Elom Kokouvi. Fonds National de la Finance Inclusive : L'APSEF officiellement lancé samedi prochain. Savoir News, April 24, 2014.
<http://news.alome.com/h/17271.html>.
- 59 iciLome.com. Les enfants de la rue : De la délinquance infantile à l'irresponsabilité parentale Lomé. June 19, 2017.
<https://togotribune.com/news/les-enfants-de-la-rue-de-la-delinquance-infantile-a-lirresponsabilite-parentale/>.

Although research found no evidence that child labor exists in Tokelau, the government made a minimal advancement in efforts to prevent the worst forms of child labor in 2018. The government implemented the United Nations Pacific Strategy, which includes economic development strategies, including eliminating child labor and the worst forms of child labor. However, the government has not established adequate legal protections to prevent the worst forms of child labor, as the law does not criminally prohibit forced labor and child trafficking. In addition, Tokelau has not established a minimum age for work and does not prohibit hazardous occupations and activities for children.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Tokelau. Although education in Tokelau is free, some children struggle to access reliable transportation to attend school. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Tokelau is a territory of New Zealand; however, New Zealand statutory law does not apply to Tokelau unless it is expressly extended to Tokelau. (2) International treaties are applied only with the consent of the Government of Tokelau. New Zealand's ratification of conventions does not apply automatically to Tokelau. (1-3) None of the key international child labor conventions have been made applicable to Tokelau, including: ILO Convention 138, Minimum Age of Work; ILO Convention 182, Worst Forms of Child Labor; the UN Conventions on the Rights of the Child (CRC); the UN CRC Optional Protocol on Armed Conflict; the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; and the Palermo Protocol on Trafficking in Persons.

The government has established laws and regulations related to child labor (Table 1). However, gaps exist in Tokelau's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of using children in illicit activities.

Table 1. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	No		
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	No		
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 33 of the Government of New Zealand's Defence Act (4)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 63(1) of the Tokelau Crimes, Procedures, and Evidence Rules Act (5,6)
Free Public Education	Yes		Part 1, Section 3 of the Government of New Zealand's Education Act (7,8)

* No conscription (9)

† No standing military (10)

Tokelau

MINIMAL ADVANCEMENT

Tokelau has not established a minimum age for work. There are no armed forces in Tokelau because New Zealand is responsible for the defense of the territory at its request and consultation. (4) Tokelau has not criminally prohibited forced labor, trafficking, or the commercial sexual exploitation of children. (5)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 2).

Table 2. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
New Zealand Ombudsmen	Addresses and, if necessary, investigates citizens' complaints against a government office, including complaints related to child labor, child health, safety, and education. (11)

Labor Law Enforcement

As there is no evidence of a problem, there appears to be no need for labor law enforcement actions to address child labor.

Criminal Law Enforcement

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor. However, the Government of Tokelau has established a policy related to child labor (Table 3).

Table 3. Key Policies Related to Child Labor

Policy	Description
United Nations Pacific Strategy (2018–2022) [†]	A multinational strategic framework program consisting of 14 South Pacific nations to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (12)

[†] Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in Tokelau (Table 4).

Table 4. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the age up to which education is compulsory is the same as the minimum age for work.	2016 – 2018
	Establish age 18 as the minimum age for hazardous work and determine the types of hazardous work prohibited for children under age 18 in consultation with employers' and workers' organizations.	2016 – 2018
	Ensure that laws prohibit trafficking of children domestically and internationally for commercial sexual exploitation and forced labor, and do not require the use of force to be established for the crime of trafficking.	2016 – 2018
	Establish laws that criminally prohibit forced labor, including debt bondage, the sale and trafficking of children, and slavery.	2013 – 2018
	Ensure that laws criminally prohibit using, procuring, and offering a child for prostitution, the production of pornography, and pornographic performances.	2017 – 2018
	Ensure that laws criminally prohibit the use of children for illicit activities, including for the production and trafficking of drugs.	2017 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
Social Programs	Establish a reliable transportation program to ensure that children are able to attend school.	2018

REFERENCES

- U.S. Embassy-Wellington. Reporting. January 10, 2019.
- Government of Tokelau. Tokelau Government. Accessed June 23, 2017. <http://www.tokelau.org.nz/Tokelau+Government.html>.
- U.S. Embassy-Wellington. Reporting. March 13, 2015.
- Government of New Zealand. Defence Act of 1990, No. 28 of 1990. Enacted: April 1, 1990. <http://www.legislation.govt.nz/act/public/1990/0028/latest/DLM204973.html>.
- Government of Tokelau. Tokelau Crimes, Procedures, and Evidence Rules 2003. Enacted: 2003. http://www.paclii.org/tk/legis/num_act/cpaer2003302/.
- UNESCO. EFA Global Monitoring Report: Youth and Skills- Putting Education to Work: Table 4: Access to Primary Education. October 16, 2012. <http://www.ibe.unesco.org/en/services/online-materials/world-data-on-education/seventh-edition-2010-11.html>.
- Government of New Zealand. Education Act. Accessed July 9, 2019. <http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM175959.html>.
- Government of Tokelau. National Curriculum Policy Framework. Accessed July 9, 2019. https://www.tokelau.org.nz/site/tokelau/files/TOKELAU_NCPF_DRAFT_9_UPDATED_19_SEPT_2006_English_FINALVERSION_MASTER.pdf.
- U.S. Consulate Auckland official. Email communication to USDOL official. April 7, 2017.
- Government of Tokelau, Department of Education. Department of Education Schools on Tokelau. <https://www.tokelau.org.nz/Tokelau+Government/Government+Departments/Department+of+Education.html>.
- U.S. Consulate Auckland official. Email communication to USDOL official. April 7, 2017.
- UN. United Nations Pacific Strategy 2018-2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017. https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2018, Tonga made a minimal advancement in efforts to eliminate the worst forms of child labor. The government established a labor law complaint mechanism, and it is currently in the process of ratifying the ILO Convention concerning Minimum Age for Admission to Employment (C. 138) and the ILO Convention concerning the Worst Forms of Child Labor (C. 182). However, despite new initiative to address child labor, Tonga is receiving an assessment of minimal advancement because it continued to implement a practice that delayed advancement in eliminating the worst forms of child labor. Research indicates the labor inspectorate failed to conduct any worksite inspections for the second year in a row. Labor inspections are a key tool for identifying child labor violations, and their absence makes children more vulnerable to the worst forms of child labor. Additionally, the government has not ratified ILO C. 182. Children engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture and fishing. Gaps in the legal framework also remain; the country has no laws specifying a minimum age for work or defining hazardous forms of work for children under age 18, leaving children unprotected from labor exploitation. In addition, the government has not established a policy or program to address child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Tonga engage in the worst forms of child labor, including in commercial sexual exploitation. Children also perform dangerous tasks in agriculture and fishing. (1) Table 1 provides key indicators on children's work and education in Tonga. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		111.0

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2019. (2) Data were unavailable from International Labor Organization's analysis, 2019. (3)

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	Subsistence farming, fishing (4)
Services	Vending (4)
Categorical Worst Forms of Child Labor‡	Forced domestic work(4-6)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4,5)
	Use in trafficking of drugs (4,7,8)

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

The Government of Tonga has not published data on child labor. The Ministry of Commerce, Consumer, Innovation, Trade, and Labor (MCCITL) study, which resulted in an internal "Report of a Spot Survey on the Worst Forms of Child Labor in Tonga," has yet to be published. (4)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

During the reporting period, there was evidence indicating that the growing methamphetamine epidemic has resulted in drug dealers starting to recruit school-aged children to assist with drug deliveries, while also getting them addicted to the drug, thus ensuring that they have “a client for life.” (4,7,8)

Many school buildings remain inaccessible to students with physical disabilities, resulting in the attendance rates of children with disabilities, at all educational levels, to be lower than children without disabilities. (4,9)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Tonga has ratified one key international convention 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 Tonga’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	No		Sections 69–70 of the Counter Terrorism and Transnational Organised Crime Act (10)
Prohibition of Child Trafficking	No		Section 69 of the Counter Terrorism and Transnational Organised Crime Act (10)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 115A, 125, and 126 of the Criminal Offences Act (11)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	16	Section 25 of the Defence Services Act (12)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Section 25 of the Defence Services Act (12)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	18	Section 98 of the Education Act 2013 (13)
Free Public Education	No		Section 95 of the Education Act 2013 (13)

* No conscription (12)

During the reporting period, the Government of Tonga noted that it was in the process of ratifying C. 182 and C.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

138, with consultations scheduled to take place in January 2019. (4)

The Parliament has tabled the Employment Relations Bill for discussion at the next legislative session in 2019, which would establish a minimum age for non-hazardous and hazardous work and would prohibit the categorical worst forms of child labor. Furthermore, the Parliament has not determined the types of hazardous work prohibited for children. (1,4,14-16) Once the bill is passed, the labor inspectorate will be given legal authority to conduct labor inspections. (16) The results from a child labor survey conducted by Tonga's Women and Children's Crisis Center were used to provide recommendations for the drafting of the Employment Relations Bill. (4)

The Counter Terrorism and Transnational Organized Crime Act is insufficient to meet the international standard for the prohibition of child trafficking because it does not specifically prohibit the domestic trafficking of children, nor does it criminally prohibit forced labor, debt bondage, and slavery, unless they involve transnational human trafficking. (5,10,17)

The Criminal Offences Act prohibits the procurement of women and girls under age 21 for commercial sexual exploitation, but does not criminalize the procurement of boys for the same. (18) In addition, the Act does not sufficiently prohibit commercial sexual exploitation, because the use of children under age 14 in the production of pornography is not criminally prohibited. The Act also does not specifically prohibit using children in illicit activities, particularly in the production and trafficking of drugs. (11,18,19) In addition, the Defence Services Act does not prohibit the recruitment of children by non-state armed groups. (12)

Although it does not appear that there are any laws that provide free basic education, there is a policy that sufficiently provides for free basic education to all children between the ages of 6 and 14. (4,20) Additionally, during the reporting period, a Ministry of Education and Training program to bring children with disabilities into primary schools continued.

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, the absence of labor inspectors at the national level in Tonga may impede the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Commerce, Consumer, Innovation, Trade and Labor (MCCITL)	Enforces labor laws, including those related to child labor and the worst forms of child labor, through business license inspectors and a chief labor inspector. The position of Chief Labor Inspector is currently vacant. (1,4,16) This agency failed to conduct worksite inspections during the reporting period. (21)
Tonga Police, Transnational Crime Unit, and Domestic Violence Unit	Enforces criminal laws related to the worst forms of child labor. (1) With NGOs, handles and coordinates cases related to women and children. (4) This agency was active during the reporting period. (16)
Ministry of Internal Affairs, Immigration Department	Collaborates with Tonga Police and the MCCITL on the enforcement of criminal laws in cases in which foreign nationals are involved in the worst forms of child labor. (1,4) This agency was active during the reporting period. (16)

There is no single agency responsible for the enforcement of laws relating to child labor and hazardous child labor. (4) During the reporting period, the Tonga Police recruited an Asian Liaison Officer for language interpretation services for foreign Asian victims of human trafficking. (6)

Labor Law Enforcement

In 2018, the absence of worksite inspections at the national level in Tonga may have impeded the enforcement of child labor laws (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$0 (1)	\$0 (16)
Number of Labor Inspectors	Unknown	0 (16)
Inspectorate Authorized to Assess Penalties	Unknown	N/A (16)
Initial Training for New Labor Inspectors	Unknown	N/A (16)
Training on New Laws Related to Child Labor	N/A (1)	N/A (16)
Refresher Courses Provided	Unknown	N/A (16)
Number of Labor Inspections Conducted	0 (1)	0 (16)
Number Conducted at Worksite	0 (1)	0 (16)
Number of Child Labor Violations Found	0 (1)	0 (16)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (1)	0 (16)
Number of Child Labor Penalties Imposed that Were Collected	0 (1)	0 (16)
Routine Inspections Conducted	Unknown	N/A (16)
Routine Inspections Targeted	Unknown	N/A (16)
Unannounced Inspections Permitted	Unknown	N/A (16)
Unannounced Inspections Conducted	Unknown	N/A (16)
Complaint Mechanism Exists	No (1)	Yes (16)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (1)	No (4)

The Tonga Police set up a drug taskforce in April 2018, resulting in 96 arrests, but more resources are needed to address the growing problem of Tongan children being targeted by drug syndicates. (7,8)

Inadequate resources, including a lack of funding to hire and train the labor inspectors needed to target sectors in which child labor is present, hamper the government’s capacity to enforce child labor laws in Tonga. (1,4,22) Child labor inspections are complaint driven, with police called in for suspected cases of child labor. While a complaint mechanism exists, it is still in need of improvement, and the government has yet to establish an adequate referral mechanism among the labor inspectorate, the police, and social welfare services. (4)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Tonga took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	N/A (16)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (4)
Refresher Courses Provided	Unknown	N/A (4)
Number of Investigations	Unknown	N/A (16)
Number of Violations Found	Unknown	N/A (16)
Number of Prosecutions Initiated	Unknown	N/A (16)
Number of Convictions	Unknown	N/A (16)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	N/A (16)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (21)

The Tonga Police coordinate with NGOs to handle labor abuse cases relating to women and children, but no formal referral mechanism exists. (4) The Tonga Police continued to train their new recruits on human trafficking crimes and identification techniques during their basic police training. Additionally, the government maintains and operates a 24-hour hotline for emergency assistance, which is available to victims of child labor, forced labor, and human trafficking. (6)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

Research found no evidence that the government has established mechanisms to coordinate its efforts to address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 8). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 8. Key Policies Related to Child Labor

Policy	Description
United Nations Pacific Strategy (2018–2022)†	A multinational strategic framework program consisting of 14 South Pacific nations to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (23)

† Policy was approved during the reporting period.

The Tonga Strategic Development Plan Nine indirectly addresses the root causes of child labor, as it seeks to improve economic opportunities in the country, including those for youth. Additionally, the Tonga Education Policy Framework, supported by the Governments of Australia and New Zealand through 2019, focuses on improving school quality, achievement of universal basic education, and improving management within the Ministry of Education, thereby having a positive impact in the reduction of child labor through universal education. (4)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that included the goal of eliminating child labor (Table 9). However, gaps exist in these social programs, including adequacy to address the problem in all sectors.

Table 9. Key Social Programs to Address Child Labor

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)*	Multi-country program in 14 Pacific Island countries. (24) Prioritizes children's rights including the elimination of the worst forms of child labor. Aligned with the UN Pacific Strategy 2018–2022. (24)

* Program was launched during the reporting period.

Social programs are needed to assist children who are victims of the worst forms of child labor, including commercial sexual exploitation and children performing dangerous tasks in agriculture and fishing.

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 Tonga (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify ILO C. 182 on Worst Forms of Child Labor; UN CRC Optional Protocol on Armed Conflict; UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; and the Palermo Protocol	2017 – 2018
	Establish labor regulations that include a minimum age of 14 for employment and a minimum age of 18 for hazardous work, in accordance with international standards.	2009 – 2018
	Ensure that the government passes and enacts the Employment Relations Bill which would establish a minimum age for non-hazardous and hazardous work, and would prohibit the categorical worst forms of child labor.	2018
	Create and publish a list of hazardous occupations and activities that are prohibited for children.	2009 – 2018

Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits forced labor, including debt bondage and slavery.	2015 – 2018
	Ensure that laws specifically prohibit domestic human trafficking of children and the use of children in illicit activities, including in the production and trafficking of drugs.	2014 – 2018
	Ensure that laws prohibit all forms of commercial sexual exploitation for both girls and boys under the age of 18.	2009 – 2018
	Ensure that the law criminally prohibits the recruitment of children under the age of 18 by non-state armed groups.	2016 – 2018
	Establish by law free basic public education.	2016 – 2018
Enforcement	Publish information on labor law and criminal law enforcement activities, efforts, and relevant data.	2014 – 2018
	Improve the adequateness of the current labor law complaint mechanism.	2018
	Provide labor inspectors and criminal investigators with the training and resources necessary to enforce laws prohibiting child labor, including its worst forms.	2013 – 2018
	Establish referral mechanisms among the labor inspectorate, the police, and social welfare services to protect and rehabilitate children involved in child labor, including its worst forms.	2014 – 2018
	Fill the position of Chief Labor Inspector.	2016 – 2018
	Hire labor inspectors to enforce child labor laws.	2016 – 2018
	Allocate more resources to the Tonga Police drug taskforce to address the issue of children participating in illicit activities.	2018
Coordination	Establish a coordinating mechanism to combat the worst forms of child labor.	2009 – 2018
Government Policies	Ensure that child labor issues are properly incorporated into relevant policies.	2017 – 2018
Social Programs	Update all school buildings to ensure accessibility for students with disabilities.	2018
	Implement social programs to address all forms of child labor, including its worst forms.	2010 – 2018
	Collect and publish data on the extent and nature of child labor, including its worst forms, to inform policies and programs.	2017 – 2018
	Publish and make available to the public the results of the Ministry of Commerce, Consumer, Innovation, Trade and Labor’s child labor study.	2018

REFERENCES

- U.S. Embassy- Suva. Reporting. December 18, 2017.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- U.S. Embassy- Suva. Reporting. January 15, 2019.
- U.S. Department of State. Trafficking in Person Report- 2018: Tonga. Washington, DC, June 27, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/tonga/>.
- U.S. Embassy- Suva. Reporting. March 18, 2019.
- I News Now. I NEWS exclusive: A look inside one of Tonga’s five major drug syndicates, as P ravages the kingdom. December 10, 2018. Source on file.
- I News Now. I NEWS special report: Tonga’s children targeted by meth dealers looking to gain ‘a client for life.’ December 9, 2018. Source on file.
- U.S. Department of State. Country Reports on Human Rights Practices- 2017: Tonga. Washington, DC, 2018. <https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/tonga/>.
- Government of Tonga. Counter Terrorism and Transnational Organised Crime Act 2013. Enacted: 2013. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/98656/117471/F-1641177339/TON98656.pdf>.
- Government of Tonga. Criminal Offences (Amendment) Act 2003. Enacted: 2003. https://www.unodc.org/res/cld/document/ton/1926/criminal-offences-amendment-act-2003_html/Criminal_Offences_Amendment_Act_2003.pdf.
- Government of Tonga. Tonga Defence Services Act 1992 Act 17 of 1992. Enacted 1992. Source on file.
- Government of Tonga. Education Act 2013. Enacted February 26, 2014. Source on file.
- Government of Tonga. Employment Relations Bill [draft]. 2013. <http://www.mctl.gov.to/wp-content/uploads/2013/04/Final-Draft-ERB-2013-April-2013-19Apr13.pdf>.
- Government of Tonga. Submission Re: Child Labor in Tonga. Nuku’alofa, 2014. Source on file.
- U.S. Embassy- Suva official. Email communication to USDOL official. June 24, 2019.
- U.S. Department of State. Trafficking in Persons Report- 2017: Tonga. Washington, DC., June 27, 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/tonga/>.
- Government of Tonga. Criminal Offences Act. Enacted: 1988. http://www.paclii.org/to/legis/consol_act/co136/.
- U.S. Embassy- Suva. Reporting. January 15, 2015.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 20 Ministry of Education. Tonga Education Policy Framework 2004–2019. Nuku'alofa, April 2004.
<http://planipolis.iiep.unesco.org/en/2004/tonga-education-policy-framework-2004-2019-final-draft-5353>.
- 21 U.S. Embassy- Suva official. Email communication to USDOL official. May 21, 2019.
- 22 U.S. Embassy- Suva. Reporting. February 6, 2017.
- 23 United Nations. United Nations Pacific Strategy 2018-2022: A Multi-Country Sustainable Development Framework in the Pacific Region. United Nations in the Pacific, 2017.
https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf.
- 24 UN. Strategy Note for the 2018-2022 Pacific Multi-Country Programme of Cooperation. New York, October 10, 2017. Source on file.

In 2018, Tunisia made a significant advancement in efforts to eliminate the worst forms of child labor. The government developed an expanded hazardous work list that includes additional categories deemed hazardous for children, including street work. The Minister of Social Affairs has already approved this revision, which will take effect once published in the official register. As part of its Child Labor National Action Plan, the government also published full results of the 2017 National Child Labor Survey. Regarding enforcement, the government, in tandem with international organizations, conducted trainings for civil and criminal law enforcement officials on human trafficking legal statutes. It also promulgated a new National Strategy on Trafficking in Persons. Lastly, the government inaugurated the Amali Center outside of Tunis as the first facility for child victims of trafficking in persons. However, children in Tunisia engage in the worst forms of child labor, including scavenging for garbage and in forced labor in domestic work and begging, sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. In addition, the law's minimum age protections do not apply to children who are engaged in work in the informal sector on inhabited premises, such as private homes, without permission of the property owner or a court order.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Tunisia engage in the worst forms of child labor, including scavenging for garbage and in forced labor in domestic work and begging, sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. (1-5) Table 1 provides key indicators on children's work and education in Tunisia. Data on some of these indicators are not available from the sources used in this report. Raw data used in the government's 2017 National Child Labor Survey report were not available for analysis in time for inclusion in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.0 (50,364)
Attending School (%)	5 to 14	94.2
Combining Work and School (%)	7 to 14	2.8
Primary Completion Rate (%)		103.2

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011–2012. (7)

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	Farming (2,8-13)
	Fishing (2)
	Animal husbandry (2)
	Forestry (2)
Industry	Construction (2,3,13)
Services	Domestic work (2-4,9,11,14)
	Street work, including shining shoes, begging, vending, auto washing and repairing, and scavenging garbage† (2,8,12,15,16)

SIGNIFICANT ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (3,4,10,16-19)
	Use in illicit activities, including stealing, smuggling, and drug trafficking (3-5,8-17)
	Forced labor in domestic work and begging, each sometimes as a result of human trafficking (2,3,5,10,12,16,20,21)

† 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.

Child migrants from sub-Saharan countries and migrants fleeing unrest in neighboring countries, and young girls from Tunisia’s northwest and other interior regions, are particularly vulnerable to human trafficking.(4,5,16,17,21) In 2018, the government released a full report on the 2017 National Child Labor Survey. More generally, the survey also indicated that 7.9 percent of all children are engaged in child labor, with 63.2 percent of those then involved in hazardous work. The northwest region—consisting of the governorates of Béja, Jendouba, Kef, and Siliana—noted the highest incidence of child labor at 27.7 percent. (2) Figures from the report indicated that children work below the country’s minimum age of employment with 48.8 percent in agriculture and fishing, 20.2 percent in commerce, 10.9 percent in manufacturing, 6.4 percent in domestic labor, and 4.7 percent in construction. (2,3) The government has not yet made the full dataset from this survey publicly available, or allowed other government agencies to access it, leaving the nature and causes of children’s involvement in specific forms of child labor unknown.

Students face barriers to education, especially in rural areas, due to inadequate transportation, household poverty, and religious customs. (3,8,10,12,14,22) It is estimated that approximately 100,000 students, including a disproportionate number of girls, drop out each year, some as a result of physical violence in schools. (11,12,23,24)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Tunisia 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 Tunisia’s legal framework to adequately protect children from the worst forms of child labor, including the lack of comprehensive hazardous work prohibitions for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 53 of the Labor Code; Article 2 of the Law on the Situation of Domestic Workers (25,26)
Minimum Age for Hazardous Work	Yes	18	Article 58 of the Labor Code (25)

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

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of the Ministry of Social Affairs Order of January 19, 2000 (27)
Prohibition of Forced Labor	Yes		Articles 105, 171, 224, and 250 of the Penal Code; Articles 2.1, 2.5, 2.6, and 8 of the Law on the Prevention and the Fight Against the Trafficking of Persons (28,29)
Prohibition of Child Trafficking	Yes		Articles 2–3, 5, 8, and 23 of the Law on the Prevention and the Fight Against the Trafficking of Persons (29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 226 <i>ter</i> and 232–234 of the Penal Code; Article 25 of the Child Protection Code; Article 2.7 of the Law on the Prevention and the Fight Against the Trafficking of Persons (28-30)
Prohibition of Using Children in Illicit Activities	Yes		Articles 5 and 11 of Law No. 92.52 on Narcotics (31)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 2 of the National Service Law (32)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the National Service Law (32)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 2(5) of the Law on the Prevention and the Fight Against the Trafficking of Persons; Articles 3 and 18 of the Child Protection Code (29,30)
Compulsory Education Age	Yes	16	Section 1 of the Law on Education (33)
Free Public Education	Yes		Articles 39 and 47 of the Constitution (34)

In April 2018, the Ministry of Social Affairs (MSA) and the National Action Plan Steering Committee revised and greatly expanded the list of hazardous work first adopted in 2000. The Minister of Social Affairs has approved this revision, which will finally include street work, and it will take effect once published in the official register. (3,35,36) However, at present, the types of hazardous work prohibited for children do not cover street work, an activity in which there is evidence of children working in an unhealthy environment. Further, the government acknowledges, as evident from the high rates of recidivism, that the fines and penalties for child labor law violations are not dissuasive. (37)

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 authority of the MSA that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Affairs (MSA)	Conducts labor inspections and assesses fines and penalties for infractions. (10,25,38) Employs social workers and medical inspectors to assist in addressing issues of child labor. (3) Collaborates with the Ministry of Education (MOE) and the Ministry of Health (MOH) to identify and provide support to children vulnerable to child labor. (10,12,18,39)
Ministry of Women, Family, and Childhood (MWFC)	Gathers evidence and conducts investigations on child welfare cases. Conducts needs assessments and intervention plans. Acts as judicial police in cases of imminent danger to children through its Delegates for the Protection of Children. (12,30,39)
Ministry of the Interior (MOI)	Investigates reports of child labor as a criminal violation, including complaints that are outside of the labor inspectorate's mandate and complaints in the informal sector. (15) Through its Child Protection Service in the National Police, addresses the commercial sexual exploitation of children and coordinates with the MSA and the MWFC regarding violations. (10,12,40) Through its Judicial Police, coordinates with the MSA to refer cases of at-risk youth. (10,37,39,41)
Ministry of Justice (MOJ)	Coordinates anti-trafficking efforts and the criminal enforcement of child labor laws. (18)
Ministry of Education (MOE)	Alerts parents and authorities to truancy in an effort to ensure children attend required schooling. (3)

Tunisia

SIGNIFICANT ADVANCEMENT

Labor Law Enforcement

In 2018, labor law enforcement agencies in Tunisia took actions to combat child labor (Table 6). However, gaps exist within the authority of the MSA that may hinder adequate labor law enforcement, including the lack of ability to conduct inspections and enforce the minimum age protections for children on inhabited premises, such as private homes, without permission of the property owner or a court order to access the property.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$7,450,000 (13)	\$4,400,000 (3)
Number of Labor Inspectors	348 (13)	347 (3)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (3)
Initial Training for New Labor Inspectors	Yes (13,42)	Yes (3)
Training on New Laws Related to Child Labor	N/A (13)	N/A (3)
Refresher Courses Provided	Yes (13,42)	Yes (3)
Number of Labor Inspections Conducted	13,708 (13)	9,420‡ (3)
Number Conducted at Worksite	13,708 (13)	9,420‡ (3)
Number of Child Labor Violations Found	Unknown	92 (36)
Number of Child Labor Violations for Which Penalties Were Imposed	1 (13)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	1 (13)	Unknown (3)
Routine Inspections Conducted	Yes (13)	Yes (3)
Routine Inspections Targeted	Yes (13)	Yes (3)
Unannounced Inspections Permitted	Yes (13)	Yes (3)
Unannounced Inspections Conducted	Yes (13)	Yes (3)
Complaint Mechanism Exists	Yes (13,42)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (3)

‡ Data are from January to June 2018.

The government noted that the budget for staffing and logistics, such as fuel and transportation, was inadequate to carry out inspections, especially in remote areas of the country. (3,13,43) Labor law enforcement mechanisms do not exist to enforce the minimum age protections for children on inhabited premises, such as private homes, without permission of the property owner or a court order. (3,10,12,25) The government noted 92 child labor violations in 2018; 5 cases were referred to courts for prosecution. (36)

Over the course of 2018, 2 inspectors received trainer training under USDOL's PROTECTE program, 60 inspectors received refresher courses, and 25 inspectors received training on trafficking in persons legislation. (3)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Tunisia 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 the lack of publication of information the number of violations found, convictions, and imposed penalties for violations of criminal law enforcement efforts related to the worst forms of child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (13)	Yes (36)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (13)	Yes (36)
Refresher Courses Provided	Yes (13)	Yes (36)
Number of Investigations	173 (36)	191 (36)
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	4 (44)	11 (36)
Number of Convictions	1 (44)	Unknown

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

Overview of Criminal Law Enforcement	2017	2018
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (36)

During 2018, UNODC trained 80 judicial police officers, 16 police instructors, and 8 border police officers from 19 governorates in a 2-day training focused on trafficking in persons—specifically on the identification of victims, investigation methods, and victim protection. (45) Also during the year, UNODC, in partnership with Tunisia’s Magistrate Training Institute and the National Committee Against Trafficking in Persons, trained 160 judges on the updated manual with respect to Tunisia’s 2016 Law on the Prevention and the Fight Against the Trafficking of Persons. (46)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
National Steering Committee for the Implementation of the Child Labor National Action Plan (PAN-TN)	Coordinates efforts to combat child labor. Led by MSA, includes membership of five other ministries and two unions, with support from the ILO. (15,47-49) In 2018, the PAN-TN approved a draft by-law to create a Fight Against Child Labor Unit and accompanying Operational Strategic Plan within the MSA to coordinate actors on these issues, participate in studies, analyze information, publish and collect data, and prepare and implement work plans and national reports. (3)
National Authority on Trafficking in Persons (Instance Nationale de Lutte Contre la Traite des Personnes)	Coordinates anti-human trafficking efforts and raise awareness of human trafficking issues. Includes membership of 12 ministries, 2 members of civil society, a media representative, and a member of the National Commission of Human Rights.(18,39,50-52) In 2018, the National Authority launched a telephone hotline for the public to report cases of human trafficking and child labor; during the year the hotline received approximately 500 calls. (3)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Child Labor National Action Plan (PAN-TN) (2015–2020)	Aims to raise awareness, builds the capacity of stakeholders, encourages action from NGOs and the public, improves policies, and promotes the implementation of existing laws and policies. (15,40,47) In 2018, 185 points of contact outside of the MSA were trained on issues of child labor to support government-wide efforts to combat child labor. (3,16)
National Strategy for the Combat of Trafficking in Persons (2018–2023)†	Aims to establish a global approach to address trafficking in persons by coordinating national and international actors and using data and statistics. (5,16)
UNICEF Country Program Document (2015–2019)	Aims to improve quality of education, decrease drop out rates, increase access to early education, teach life skills to adolescents, and improve access to information that protects children against violence and economic exploitation. (53) In 2018, efforts involved coordination with the MOE on curricula revision to ensure basic life skills are taught to students finishing formal education.(36)

† Policy was approved during the reporting period.

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.

Tunisia

SIGNIFICANT ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL projects in Tunisia aim to conduct research on child labor and strengthen Tunisia's ability to implement its Child Labor National Action Plan, a multi-stakeholder effort involving government, business, and civil society. These projects include PROTECTE (2016–2020), \$3 million project implemented by the ILO; and Global Research on Child Labor Measurement and Policy Development (MAP), \$7 million project implemented in at least 10 countries by the ILO. (10,15,54-56) During the reporting period, the MAP project supported the launch of Tunisia's first nationally representative survey examining child labor. (2,3) Additional information is available on the USDOL website.
Support Efforts to Combat Human Trafficking (2014–2022)	USDOS-funded project implemented by the IOM to carry out anti-human trafficking activities in collaboration with the MOJ, MOI, MSA, and MWFC. Includes three objectives: (a) build the capacity of relevant institutions and agencies to identify and assist victims of human trafficking based on their individual needs; (b) strengthen cross-sector cooperation and the sharing of information through the implementation of a national referral mechanism; and (c) conduct an awareness-raising campaign to keep children in school and discourage illegal migration that could lead to human trafficking. (40) In 2018, training activities continued for immigration and law enforcement officers on the investigation and prosecution of human trafficking crimes. USDOS has approved extension of funding through January 2022. (52)
American Bar Association Rule of Law Initiative*	USDOS-funded project to improve the Government of Tunisia's National Authority to Combat Trafficking in Persons and enhance capacity of legal actors to prosecute, investigate, and adjudicate human trafficking cases in a victim-centered manner. The project was established in 2018 and expects to end in mid-2019. (52)
Shelters and Services for Victims of Human Trafficking†	The Government of Tunisia operates shelters to serve victims of human trafficking, particularly children. Shelters provide services that include lodging, food, clothing, psychological services, legal aid through a network of pro bono lawyers, and free medical care in collaboration with the MOH. Unaccompanied children and adults are placed in dedicated centers to receive schooling. (4,41,57-60) In 2018, activities related to this project continued, and in April, the government inaugurated the Amali Center outside of Tunis as the first facility for child victims of human trafficking. In February 2019, the Amali Center provided shelter for 42 children removed from the Regueb Koranic School following allegations of economic and sexual exploitation. (5,52)
Centers to Provide Aid to Victims of Child Labor‡	The government maintains 23 youth centers and 67 child protection institutions that can serve up to 6,000 children engaged in child labor or vulnerable to child labor. (40,61) In 2018, research indicated that these centers continued to operate; however, specific activity details are unavailable. (52)
Programs to Reduce School Dropout Rates‡	MOE-funded School Dropout Prevention Program maintains about 2,300 social protection units in schools and mobile units in rural areas to monitor students and prevent school dropout. (42,61) In 2018, activities related to this project continued. (52)

* Program established during the reporting period.

† Program is funded by the Government of Tunisia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (39,58)

Although Tunisia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including in agriculture and fishing, commerce, manufacturing, domestic labor, and construction. (15)

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 Tunisia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the hazardous occupations and activities prohibited for children are comprehensive.	2016 – 2018
Enforcement	Provide adequate resources for the Labor Inspectorate to conduct additional inspections, particularly in remote areas.	2015 – 2018
	Ensure that mechanisms exist to enforce the minimum age protections for children on inhabited premises, such as private homes, without permission of the property owner or a court order.	2014 – 2018
	Collect and publish information on the number of child labor penalties imposed and collected related to labor law enforcement of child labor laws, and information concerning violations found, convictions, and imposed penalties related to the criminal enforcement of child labor laws.	2013 – 2018
	Increase penalties for those who employ children in violation of child labor law protections.	2016 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Address barriers to education, especially for girls in rural areas, such as unreliable transportation, insufficient teaching staff, household poverty, physical violence, and religious custom.	2015 – 2018
	Provide sufficient resources to expand existing programs to address the scope of the child labor problem.	2015 – 2018
	Make the microdata of the 2017 National Child Labor Survey publicly available so that they can be used to inform programming and policies.	2017 – 2018

REFERENCES

- Khouni, Taieb. *Traite des enfants en Tunisie, le phénomène en chiffres. Les Africains en sont les premières victimes?* August 30, 2017. https://www.huffpostmaghreb.com/2017/08/30/traite-enfants-tunisie_n_17866134.html.
- ILO and Government of Tunisia. *Enquête nationale sur le travail des enfants en Tunisie de 2017*. 2018. Source on file.
- U.S. Embassy- Tunis. Reporting. January 28, 2019.
- U.S. Department of State. *Trafficking in Persons Report - 2018: Tunisia*. Washington, DC: 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/tunisia/>.
- U.S. Embassy- Tunis. Reporting. February 26, 2019.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary education, both sexes (%)*. Accessed March 12, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Multiple Indicator Cluster Survey 4, 2011-2012. Analysis received January 12, 2018. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Marzouk, Z. *Harsh Realities: Meeting Tunisia’s Child Street Sellers*. July 13, 2015. Source on file.
- El Lahga, AbdelRahmen, and Ines Bouassida. *Analyse de la pauvreté Infantile en Tunisie: Une approche de privations multiples*. 2014. <http://www.social.tn/fileadmin/user1/doc/APauvreteInfantileTunisieUNICEF.pdf>.
- U.S. Embassy- Tunis. Reporting. January 17, 2017.
- Agence France-Presse. *La Tunisie veut lutter contre le travail des enfants*. April 17, 2017. http://www.huffpostmaghreb.com/2017/04/17/travail-enfants-tunisie_n_16059930.html.
- U.S. Embassy- Tunis. Reporting. August 4, 2017.
- U.S. Embassy- Tunis. Reporting. January 12, 2018.
- El Elj, Moez, and Mehdi Ben Braham. *Etude sur le Travail Domestique des Enfants: Case Study of Children Originating in Jendouba and Bizerte Governorates: Preliminary Report*. Study of Child Domestic Workers in Tunisia, 2014. Source on file.
- U.S. Embassy- Tunis. Reporting. January 28, 2016.
- Government of Tunisia. *Réponses de l’Instance nationale de lutte contre la traite des personnes aux questions pour le rapport du Département d’État américain sur la traite des personnes 2019*. February, 2019. Source on file.
- IOM. *Baseline study on trafficking in persons in Tunisia: assessing the scope and manifestations*. 2013. [http://reliefweb.int/sites/reliefweb.int/files/resources/Baseline Study on Trafficking in Persons in Tunisia.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/Baseline%20Study%20on%20Trafficking%20in%20Persons%20in%20Tunisia.pdf).
- U.S. Embassy- Tunis. Reporting. February 27, 2017.
- La presse de Tunisie. *La Tunisie annonce sa stratégie*. December 14, 2018. http://www.lapresse.tn/index.php?option=com_societe&task=article&id=151450.
- Agency Tunis Afrique Press. *Campaign to raise awareness of fight against human trafficking in Tunisia launched*. June 7, 2017. Source on file.
- U.S. Embassy- Tunis. Reporting. February 21, 2018.
- Al Ashy, Khawla, and Hanene Zbiss. *Tunisian female students: matrimony or hard labor*. Arab Reporters For Investigative Journalism. April 21, 2014. <http://en.arij.net/report/tunisian-female-students-matrimony-or-hard-labor/>.
- Boughzou, Khaled. *L’Abandon Scolaire en Tunisie: Etat des Lieux, Caracteristiques et Perspectives*. L’Education en débats: analyse comparée, 7 (2016). <https://www.unige.ch/fapse/erdie/files/4414/6651/2677/Boughzou-EED7.pdf>.
- Samoud, Wafa. *Tunisie: Près de 100 mille élèves abandonnent les bancs de l’école chaque année, selon le ministère de l’Education*. February 22, 2017. http://www.huffpostmaghreb.com/2017/02/22/detrochage-scolaire-tunisie_n_14925734.html.
- Government of Tunisia. *Code du travail, Loi n° 66–27*. Enacted: 1966. http://www.ilo.org/dyn/travail/docs/778/Labour_Code_Tunisia.pdf.
- Government of Tunisia. *Loi n° 65–25 du 1er juillet 1965, relative à la situation des employés de maison, Modifiée par la loi n° 2005–32 du 4 avril 2005*. Enacted: July 1, 1965. http://www.e-justice.tn/fileadmin/fichiers_site_francais/droits_homme/legis_nat/enfant/L_1965_25.pdf.
- Government of Tunisia. *Arrêté du ministre des affaires sociales du 19 janvier 2000, fixant les types de travaux dans lesquels l’emploi des enfants est interdit*. Enacted: January 19, 2000. <http://www.cnudst.rnrt.tn/jortsrc/2000/2000f/jo0092000.pdf>.
- Government of Tunisia. *Code Pénal*. Enacted: July 9, 1913. <http://www.jurisetunisie.com/tunisie/codes/cp/menu.html>.
- Government of Tunisia. *Loi organique n° 2016–61 du 3 août 2016, relative à la prévention et à la lutte contre la traite des personnes*. Enacted: 2016. Source on file.
- Government of Tunisia. *Loi n° 95–92 du 9 Novembre 1995, Relative à la Publication du Code de la Protection de L’enfant*. Enacted: November 9, 1995. <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/42904/64989/F95TUN01.htm>.
- Government of Tunisia. *Loi n° 92–52 du 18 mai 1992 relative aux stupéfiants*. Enacted: May 18, 1992. https://www.unodc.org/res/cld/document/tun/loi-no--92-52_html/Loi_n_92-52_du_18_mai_1992fr.pdf.
- Government of Tunisia. *Loi n° 2004–1 du 14 janvier 2004, relative au Service national*. Enacted: January 14, 2004. Source on file.
- Government of Tunisia. *Loi d’orientation n° 2002–80 du 23 juillet 2002, relative à l’éducation et à l’enseignement scolaire*. Enacted: July 23, 2002. <http://www.ilo.org/dyn/natlex/docs/SERIAL/61806/55086/FI183773494/TUN-61806.pdf>.
- Government of Tunisia. *Constitution*. Enacted: 2014. https://www.constituteproject.org/constitution/Tunisia_2014.pdf.

Tunisia

SIGNIFICANT ADVANCEMENT

- 35 Government of Tunisia. Revision de la liste des travaux dangereux interdits aux enfants en Tunisie: Le processus d'élaboration de la mise à jour. May, 2018. Source on file.
- 36 U.S. Embassy- Tunis official. Email communication to USDOL official. June 18, 2019.
- 37 Government of Tunisia. Official Elements on Child Labor. Submitted in response to USDOL Federal Register Notice (September 6, 2016) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." March 14, 2017. Source on file.
- 38 UN General Assembly Human Rights Council. National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21: Tunisia. February 20, 2017: A/HRC/WG.6/27/TUN/1. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/038/08/pdf/G1703808.pdf?OpenElement>.
- 39 U.S. Embassy- Tunis official. Email communication to USDOL official. February 22, 2017.
- 40 U.S. Embassy- Tunis official. Email communication to USDOL official. May 1, 2015.
- 41 U.S. Embassy- Tunis. Reporting. February 29, 2016.
- 42 U.S. Embassy- Tunis official. Email communication to USDOL official. February 12, 2018.
- 43 USDOL official. In Country Observations. February 25, 2016.
- 44 U.S. Embassy- Tunis official. Email communication to USDOL official. March 30, 2018.
- 45 UNODC. Expanding the Train the Trainers' Approach in Human Trafficking Criminal Cases Across the Country. 2018. http://www.unodc.org/middleeastandnorthafrica/en/web-stories/tunisia_-expanding-the-train-the-trainers-approach-in-human-trafficking-criminal-cases-across-the-country.html.
- 46 UNODC. Judges Trained in How to Deal with Human Trafficking and Migrant Smuggling Cases. February, 2018. http://www.unodc.org/middleeastandnorthafrica/en/web-stories/tunisia_-issuance-of-unodcs-manual-on-human-trafficking-and-migrant-smuggling.html.
- 47 ILO-IPEC and Government of Tunisia. National Plan of Action to Combat Child Labor. 2014. Source on file.
- 48 U.S. Embassy- Tunis official. Email communication to USDOL official. May 30 and June 2, 2014.
- 49 U.S. Embassy- Tunis. Reporting. March 18, 2015.
- 50 U.S. Embassy- Tunis. Reporting. February 10, 2017.
- 51 Agency Tunis Afrique Press. National Authority against Trafficking in Human Beings officially set up. February 8, 2017. Source on file.
- 52 U.S. Embassy- Tunis official. Email communication to USDOL official. February 8, 2019.
- 53 UNICEF. Tunisia - Country program document 2015–2019. September 11, 2014. https://www.unicef.org/about/execboard/files/2014-PL8-Tunisia_CPD-Final_approved-EN.pdf.
- 54 USDOL. Together Against Child Labor in Tunisia. 2016: Project Summary. Source on file.
- 55 ILO-IPEC. Global Research on Child Labor Measurement and Policy Development (MAP). October 2017: Technical Progress Report. Source on file.
- 56 ILO-IPEC. Together Against Child Labor. October 2017: Technical Progress Report. Source on file.
- 57 U.S. Embassy- Tunis. Reporting. December 3, 2014.
- 58 U.S. Embassy- Tunis. Reporting. November 21, 2016.
- 59 U.S. Embassy- Tunis. Reporting. February 27, 2015.
- 60 U.S. Department of State. Country Reports on Human Rights Practices- 2017: Tunisia. Washington, DC. 2018. <https://www.state.gov/documents/organization/277511.pdf>.
- 61 ILO-IPEC official. Email communication to ILO-IPEC Tunis official. February 2014.

In 2018, Turkey made a moderate advancement in efforts to eliminate the worst forms of child labor. The government signed a Joint Declaration on the Elimination of Child Labor, declaring 2018 as the Year of Elimination of Child Labor. In addition, 355 labor inspectors, 81 provincial directors, and 320 teachers were trained on child labor. The Integrated Model for the Elimination of the Worst Forms of Child Labor in Seasonal Agriculture in Hazelnut Harvesting prevented 1,022 children from working in hazelnut harvesting and was extended to 2020. However, children in Turkey engage in the worst forms of child labor, including commercial sexual exploitation and recruitment by non-state armed groups. Children also perform dangerous tasks in seasonal agriculture and in small and medium manufacturing enterprises. Uneven enforcement resulted in insufficient protection of children employed in child labor. In addition, prohibition of compulsory recruitment of children by non-state armed groups does not meet international standards.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Turkey engage in the worst forms of child labor, including commercial sexual exploitation and recruitment by non-state armed groups. Children also perform dangerous tasks in seasonal agriculture and in small and medium manufacturing enterprises. (1-6) Table 1 provides key indicators on children's work and education in Turkey.

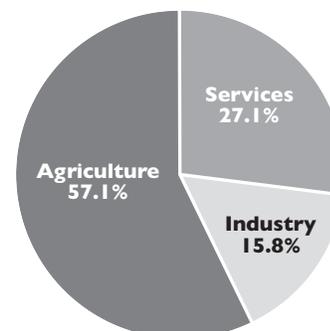
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	6 to 14	2.6 (320,254)
Attending School (%)	6 to 14	92.4
Combining Work and School (%)	6 to 14	1.6
Primary Completion Rate (%)		92.5

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization's analysis of statistics from Child Labor Survey, 2006. (8)

Figure 1. Working Children by Sector, Ages 6-14



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, hazelnuts, citrus fruits, sugar beets, cumin, peanuts, pulses, apricots, melons, and cherries (1-6,9-13)
Industry	Production of furniture, bricks, shoes, leather goods, and textiles (2,6,13-23) Construction (1,24) Mining† (4,25)
Services	Working in restaurants and small shops (6,13,14) Street work, including vending small items, carrying bundles in market areas, cleaning car windshields, collecting recyclable materials, and begging (2,4,6,13-16,28-30) Auto repair† (2,6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (28-30) Recruitment of children by non-state armed groups for use in armed conflict (6,29,30,32)

† 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.

Turkey

MODERATE ADVANCEMENT

Due to the seasonal nature of agricultural work throughout the country, children living in rural areas often migrate with their families and engage in agricultural work for up to 7 months of the year. Significant numbers of these children have limited access to health care and education as a result of migration. (1,3,5,6,28,33) Syrian refugee families working in agriculture tended to receive lower pay and live in worse conditions than Turkish workers, increasing the vulnerability of children to potential exploitation to child labor. (1,3,5,13,34)

There were over 4 million refugees and asylum seekers living in Turkey at the end of 2018. (35) Of the school-aged children in this population, approximately 35 percent (366,667) remain out of school. (6,36) Poverty and a lack of meaningful employment opportunities for adults contributed to an increase in child labor among refugee children. (1,5,6,26,27) Syrian refugee children engaged in child labor in agriculture, street begging, the service sector, and small and medium manufacturing enterprises. (1,2,6,30,34) Children in the manufacturing sector often worked long hours for up to 6 days per week and earned wages as little as half of what an employer would pay an adult. (1,2,16,17,20-23,34) Monitoring and collecting data on child labor in refugee communities and in enterprises remained a challenge. (1,6)

In 2018, the government alleged that the Kurdistan Workers' Party (PKK), designated a terrorist organization by Turkey and the U.S., recruited and forcibly abducted children for conscription. (6,30,36)

Syrian refugee children faced financial barriers to receiving education, including the informal tuition or other fees charged, and the cost of transportation. (1,2,6,14,21,36) Syrian children living in Turkey experienced issues with their registration documents, such as registering in a province other than the one in which they resided. (6) School administrators can enroll children without proper registration documents, but their performance cannot be recorded and they cannot receive school completion certificates. (6) The language barrier, discrimination, and lack of access to programs in which they could learn Turkish as a second language challenged Syrian student integration. (6,36)

II. Legal Framework for Child Labor

Turkey 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 Turkey's legal framework to adequately protect children from the worst forms of child labor, including the application of the minimum age for work to all children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 71 of the Labor Act (37)
Minimum Age for Hazardous Work	Yes	18	Articles 71–73 of the Labor Act; Annex 3 of the Regulation on the Principles and Procedures Governing the Employment of Children and Young Workers (37,38)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		The Regulation on the Principles and Procedures Governing the Employment of Children and Young Workers (38)
Prohibition of Forced Labor	Yes		Articles 80 and 117 of the Criminal Code (39)
Prohibition of Child Trafficking	Yes		Article 80 of the Criminal Code (39)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 77, 103, 226, and 227 of the Criminal Code (39)
Prohibition of Using Children in Illicit Activities	Yes		Articles 37, 38, and 188 of the Criminal Code (39)
Minimum Age for Voluntary State Military Recruitment	N/A*		
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the Law on Military Service (40)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	17‡	Article 3 of the Primary Education Law; Education Reform Law (41,42)
Free Public Education	Yes		Article 2 of the Primary Education Law; Article 42 of the Constitution of the Republic of Turkey (42,43)

* No voluntary military service (44)

‡ Age calculated based on available information (41,42)

The National Program for the Elimination of Child Labor identifies both seasonal migratory agricultural work and work in small and medium industrial enterprises as worst forms of child labor. (6) However, the Regulation on the Principles and Procedures Governing the Employment of Children and Young Workers allows children to do fruit and vegetable picking as light work, and does not prohibit seasonal migratory agriculture. The Regulation also allows children ages 16 and older to participate in many manufacturing tasks, including manufacturing of clothing, despite work in industrial enterprises being categorized as a worst form of child labor. (38) This inconsistency between national law and policy on child labor creates confusion regarding the minimum age for hazardous work in the agriculture and manufacturing sectors, and the jobs within these sectors that are legally prohibited for children. (45,46)

In addition, while the Criminal Code criminalizes forming and commanding organized criminal groups, there is a lack of specific provisions related to the recruitment of children by non-state armed groups. (39) Also, the Law on Military Service only criminalizes illegal criminal entities rather than addressing the recruitment of children. (40)

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 Family, Labor, and Social Services (MOFLSS) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Family, Labor, and Social Services (MOFLSS)*	Enforces child labor laws. (6) Coordinates and provides services to children living or working on the street through the Directorate General of Child Services. Operates a hotline to receive complaints about child rights violations, including child labor. (4) The Ministry of Labor and Social Security (MOLSS) and Ministry of Family and Social Policies (MOFSP) combined in 2018 to become the Ministry of Family, Labor, and Social Services (MOFLSS). Accommodates children who are victims of human trafficking in 102 different shelters. (30)

Turkey

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Directorate General of Labor within MOFLSS*	Coordinates all work related to the elimination of child labor; including implementing policies and programs. Currently implementing the National Program on the Elimination of Child Labor. (6)
Labor Guidance and Inspection Presidency*	Implements laws on child labor and hazardous child labor, including regulating work environments and conditions for children. Monitors the implementation of the Labor Law provisions in workplaces under its jurisdiction. (1) Receives complaints about labor law violations, including child labor, through a hotline. (1) Previously known as the Inspection Board of the former MOFSP and Labor Inspection Board MOFLSS. (6)
Social Security Board Guidance and Inspection Presidency within MOFLSS	Monitors compliance with laws related to social security of all workers, including child workers. (4,6) Part of the Social Security Board (SSB). (6) The Guidance and Inspection Boards are organized in each city and exceed 1,000 containers in total. (6,36)
Turkish National Police and Gendarmerie General Command (Jandarma)	Enforces the Criminal Code, including criminal laws related to the worst forms of child labor. (4,47) Increases efforts to identify and prevent human trafficking of refugees through the Anti-Migrant Smuggling and Trafficking Bureau within the National Police. (32) The Gendarmerie General Command (<i>Jandarma</i>) enforces laws in rural areas that are outside of the jurisdiction of the National Police. (13,47)
Department for Protection of Victims of Human Trafficking within the Directorate General for Migration Management (DGMM)	Coordinates the identification of human trafficking victims, including victims of child trafficking, with MOFLSS, Ministry of Education, and Ministry of Agriculture and Forestry. (6) Works with law enforcement, judges, and partner ministries in the country's 81 provinces. (6) Manages a hotline providing 24-hour, toll-free support in multiple languages for human trafficking victims. (48) In 2018, increased interpretation staff to assist non-Turkish speaking callers. (30)
Ministry of Justice	Prosecutes cases of child labor and child exploitation. (4,30) Directly involved in providing case input into child labor cases. (6)

*Agency responsible for child labor enforcement was created during the reporting period.

As part of the consolidation of ministries following the June 2018 general elections, the Ministry of Labor and Social Security (MOLSS) and Ministry of Family and Social Policies (MOFSP) merged to become the Ministry of Family, Labor, and Social Services (MOFLSS). (6) The Guidance and Inspection Presidency is now responsible for child labor inspections and child protection. In addition, the Social Security Board (SSB)'s Guidance and Inspection Presidency can now identify and refer cases of child labor to social services or MOFLSS. (34) The SSB's Guidance and Inspection Presidency may play a more significant role through its SSB Controllers in coordinating against child labor, particularly at the local levels. (6,34) However, this role is yet to be defined, which has added confusion to the Ministry's new structure. (6,30)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Turkey took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOFLSS that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (1)	Unknown (6)
Number of Labor Inspectors	1,021 (1)	991± (34)
Inspectorate Authorized to Assess Penalties	Yes (1)	Yes (6)
Initial Training for New Labor Inspectors	Yes (1)	Yes (34)
Training on New Laws Related to Child Labor	Yes (1)	N/A (36)
Refresher Courses Provided	Yes (1)	Yes (6)
Number of Labor Inspections Conducted	14,204 (1)	15,180± (34)
Number Conducted at Worksite	14,204 (1)	15,180± (34)
Number of Child Labor Violations Found	21 (1)	50± (34)
Number of Child Labor Violations for Which Penalties Were Imposed	21 (1)	50± (34)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	50± (34)
Routine Inspections Conducted	Yes (1)	Yes (34)
Routine Inspections Targeted	Yes (1)	Yes (34)
Unannounced Inspections Permitted	Yes (1)	Yes (6)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Unannounced Inspections Conducted	Yes (1)	Yes (34)
Complaint Mechanism Exists	Yes (1)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (6)

‡ Data are from January 2018 to November 2018.

Labor inspectors spend the first 3 years of their careers as assistant inspectors. They receive on-the-job training that includes modules to raise their awareness of child labor and of the legal provisions and enforcement mechanisms that exist to address it, and annual continuing education on new laws. (1,34,44) In 2018, the number of labor inspectors was likely insufficient for the size of Turkey's workforce, which includes more than 31 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Turkey would employ about 2,066 labor inspectors. (34, 49-51) The number of inspections reported by the government increased in 2018; however, limited government statistics and a change in the methodology by which the labor inspectorate counted discrete site visits rendered it difficult to assess trends regarding the overall number of worksites inspected in 2018 relative to 2017. (34)

The amounts of fines charged for child labor violations are adjusted annually and have undergone small increases in recent years, but remain insufficient to deter violations. (34)

Research found that children discovered to be working illegally during the course of inspections were generally referred for social services. (6,34) Reciprocal referral mechanisms remain underutilized and inspectors cannot monitor the referred cases once they pass them to social services. (36)

During the reporting period, the Guidance and Inspection Presidency and UNICEF trained 364 labor inspectors. (6) The training reviewed the legal and political framework for combatting child labor by outlining best practices and greater coordination and collaboration with relevant entities. (34) In addition, as part of the Children's Rights and Work Principles Training, the Confederation of Craftsmen and Tradesmen (TESK), MOFLSS, UNICEF, and the Ministry of National Education trained 355 labor inspectors, 81 provincial directors responsible for vocational training and apprenticeships, and 320 teachers on child labor. (6,30) The program advanced vocational training and apprenticeships for youth between the ages of 15 to 18. (6)

Criminal Law Enforcement

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

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Unknown (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Unknown (6)
Refresher Courses Provided	Yes (32)	Unknown (6)
Number of Investigations	Unknown	Unknown (6)
Number of Violations Found	Unknown	Unknown (6)
Number of Prosecutions Initiated	Unknown	Unknown (6)
Number of Convictions	Unknown	Unknown (6)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (36)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (6)

During the reporting period, UNICEF and the Union of Municipalities of Turkey developed municipal police training modules on child labor and provided trainings on how to respond to child labor to 100 municipal police from Ankara. (6) In addition, the Department for Protection of Victims of Human Trafficking within

Turkey

MODERATE ADVANCEMENT

the Directorate General for Migration Management (DGMM) trained law enforcement on human trafficking identification, the national referral system, and interview techniques. (30) DGMM also conducted outreach with local community leaders, particularly in the southeast where there is a significant migrant and refugee population at risk of human trafficking. (30)

However, lack of experience and specialization among prosecutors and judges regarding human trafficking limited the ability and means to adequately prosecute complex human trafficking-related crimes. (30,34,36) The government does not publicly release information on its labor/criminal law enforcement efforts.

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 adequate coordination of efforts to address child labor, including coordination efforts.

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

Coordinating Body	Role & Description
Child Labor Branch of the Employment Policies Directorate	Coordinates all child labor programs and efforts of the Ministry of National Education, the Child Services Directorate General in MOFLSS, the Ministry of the Interior, the Ministry of Justice, the Ministry of Health, the Ministry of Youth and Sports, the Ministry of Agriculture and Forest, and other institutions and organizations. (6) Under the Directorate General of Labor within MOFLSS. (6)
Monitoring and Evaluation Board for Child Labor	Plans and monitors implementation of the National Program to Combat Child Labor, including through biannual meetings. (6) Held the Second Monitoring and Evaluation Board Meeting in December 2018 and announced focal points for combating child labor in each province. (6,52)
Directorate General For Migration Management (DGMM)	Coordinates the implementation of migration law, including laws related to irregular migration, refugees, and human trafficking. (53,54) Active in 2018 and produced public reports on human trafficking. (30)
Anti-Trafficking Coordination Commission	Coordinates policy on human trafficking. Chaired by the Undersecretary of the Minister of Interior. (30) This commission was founded to replace the National Task Force on Combating Human Trafficking and met in March 2018. (30,32)

With the merging of the Ministry of Labor with the Ministry of Family and Social Police, there remain separate local level organizations that in some cases are redundant; at this time it is unclear if they will be merged or exist concurrently. (6,36) Coordination between central and provincial levels of government has varied significantly and sources have highlighted the need for greater coordination between governmental bodies charged with combating child labor on all levels. (6,30)

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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Program on the Elimination of Child Labor (2017–2023)	Identifies seasonal migratory agriculture, street work, and work in small and medium industrial enterprises as priority sectors for government efforts to combat child labor. Outlines a series of nationwide interventions aimed at eliminating child labor, including combating poverty, inclusive education, and increasing social awareness. (1,6,52) In 2018, the government continued its implementation. (6,30,55)
Joint Declaration of the Elimination of Child Labor†	In 2018, the government contributed to the National Program on the Elimination of Child Labor objectives by signing a Joint Declaration of the Elimination of Child Labor, declaring 2018 as the Year of Elimination of Child Labor. (6,30,55)
Second National Action Plan on Combating Human Trafficking	Outlines Turkey's strategy for the prevention of human trafficking. Identifies children as an exceptionally vulnerable group and calls for special security precautions for children at shelters for victims, and increased international cooperation on preventing child trafficking. (48,58)

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
National Employment Strategy (2014–2023)	Aims to identify and solve labor market issues, with the goal of job creation and sustained economic growth. Includes the prevention of child labor, especially hazardous work in agriculture, as a focus of the plan. Advocates for increased access to education and strengthened social services as a means of preventing child labor. (59) Initiatives in the new action plans include requiring Provincial Employment and Occupational Education Boards to evaluate progress in combating child labor locally and organizing activities to raise awareness about child labor in connection with the World Day Against Child Labor. (1) The Monitoring and Evaluation Board met in 2018 to review actions taken against child labor. (6)
Tenth Development Plan (2014–2018)	Identifies Turkey's strategy and goals for economic development. Includes the priorities of alleviating child poverty and increasing equal opportunity in education. Includes provisions for the prevention of the worst forms of child labor. (44)

† Policy was approved during the reporting period.

During the reporting period, the MOFLSS composed a report on the status of activities undertaken as part of the National Program on the Elimination of Child Labor. However, outcome indicators and outputs for each activity are not clear. (6,52)

Research was unable to determine which activities were undertaken to meet the child labor-related objectives of the Tenth Development Plan during the reporting period. (34,36)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the Government of Turkey 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 with regard to adequate funding of programs to address the full scope of the problem in seasonal agriculture and manufacturing.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Conditional Education and Health Care Assistance Program†	Government-funded program that aims to reduce poverty through cash transfers. Provides milk to all primary school children and distributes books free of charge. Active in 2018. (36)
Piloting the USDA Guidelines in the Hazelnut Supply Chain in Turkey	\$4.87 million USDOL-funded, 31-month project implemented by the Fair Labor Association in partnership with Nestle and two of its main hazelnut suppliers, Olam-Progida and Balsu, in Turkey. Piloted a sustainable program to implement the U.S. Department of Agriculture's Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains in 1,000 hazelnut gardens in Duzce, Ordu, and Sakarya, with additional interventions implemented in the environs of Sanliurfa and Mardin, the sources of most seasonal agricultural labor in Turkey. (62) Enhanced the transparency of the companies' hazelnut supply chain, enabled the collection of extensive information for risk identification, management, and mitigation, and implemented innovation remediation strategies in cooperation with non-governmental organizations and local authorities. Additional information is available on the USDOL website.
Integrated Model for the Elimination of the Worst Forms of Child Labor in Seasonal Agriculture in Hazelnut Harvesting (2012–2020)*	Association of Chocolate, Biscuit, and Confectionery Industries of Europe (CAOBISCO)-funded 8-year project implemented by the ILO and MOLSS. Project aims to take an integrated approach to preventing children from working by increasing access to education and improving living conditions of children vulnerable to the worst forms of child labor in hazelnut harvesting, building capacity of local and national institutions to prevent child labor, and raising awareness among industry stakeholders and the public. (6) In 2018, the project was extended through 2020 with a budget of \$879,000. During the reporting period, 1,022 children were prevented from working in hazelnut harvesting, and 668 families who work in seasonal hazelnut harvesting were provided with counseling. (6)
Programs for Syrian Refugee Children†	Government initiatives, in partnership with various international organizations and foreign governments, designed to fund schools for Syrian refugee children and provide Syrian refugee child laborers with additional educational and social services. (13) In 2018, under the program, UNICEF, MOFLSS, and the Turkish Red Crescent introduced conditional cash transfers for refugees. (6,30) During the year 410,740 children benefited from conditional cash transfers, and 4,452 children received referrals for specialized services. (6)
Programs focused on Human Trafficking*†	EU-funded projects, both co-managed by the DGMM, which aim to improve human trafficking victim identification and protection through training and capacity building. (63) The government also funds shelters for human trafficking victims that provide social services and legal help to victims. (6,30,32,48,63) In 2018, delivered trainings to government, NGOs, law enforcement, prosecutors, and migration experts. (6)

* Program was launched during the reporting period.

† Program is funded by the Government of Turkey.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (6,30)

Turkey

MODERATE ADVANCEMENT

The MOFLSS partnered with the Ministry of Interior and Ministry of National Education to expand measures to prevent child labor in seasonal agriculture in the ongoing Seasonal Agricultural Workers Project (METIP). (6) Under METIP, the government developed and distributed introductory textbooks on child labor for public school teachers during the reporting period. (6) In addition, Turkey made a global pledge to improve children's well-being at the UN, which includes protecting children from conflict and commercial sexual exploitation. (64)

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 Turkey (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure the law adequately prohibits work the government has identified as hazardous for children, such as work in small and medium manufacturing enterprises.	2017 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2015 – 2018
Enforcement	Clearly define the Social Security Board's Guidance and Inspection Presidency in the elimination of child labor, particularly at the local levels.	2018
	Publish information on the labor inspectorate's funding.	2015 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2014 – 2018
	Publish data relating to the criminal law enforcement of child labor laws including on the initial training for new employees, number of investigations, violations, prosecutions, convictions, and imposed penalties related to the worst forms of child labor.	2014 – 2018
	Train the judiciary so that human trafficking cases can be properly prosecuted and sentenced according to the law.	2018
	Ensure that laws prohibiting the trafficking of children are adequately enforced and that the reciprocal referral mechanisms are properly utilized.	2015 – 2018
Coordination	Increase coordination between the governmental bodies charged with combating child labor at all levels.	2018
Government Policies	Clearly define outcome indicators and outputs within the status report under the National Program on the Elimination of Child Labor.	2018
	Provide an assessment of the Tenth Development Plan.	2018
Social Programs	Monitor and collect data on child labor in refugee communities and in enterprises.	2018
	Continue to institute programs to increase access to education and health care for children working in migrant, seasonal agriculture.	2014 – 2018
	Continue to grant education opportunities for Syrian refugee children, including by enforcing national directives affording Syrian children access to the Turkish school system at the local level. Ensure that these children do not experience discrimination and have teachers in their native languages.	2014 – 2018

REFERENCES

- U.S. Embassy- Ankara. Reporting. January 16, 2018.
- Human Rights Watch. When I Picture My Future, I See Nothing. New York: November 2015. <https://www.hrw.org/report/2015/11/08/when-i-picture-my-future-i-see-nothing/barriers-education-syrian-refugee-children>.
- Support to Life. Seasonal Agricultural Work in Turkey, Survey Report 2014. Istanbul: 2014. http://hayatadestek.org/yayinlarimiz/Seasonal Agricultural Work In Turkey _Survey Report _2014.pdf.
- U.S. Embassy- Ankara. Reporting. January 22, 2016.
- Development Workshop. Fertile Lands Bitter Lives: Situation Analysis Report on Syrian Seasonal Agricultural Workers in the Adana Plain. Ankara: November 2016. https://www.academia.edu/30811191/Fertile_Lands_Bitter_Lives_THE_SITUATION_ANALYSIS_REPORT_ON_SYRIAN_SEASONAL_AGRICULTURAL_WORKERS_IN_THE_ADANA_PLAIN.
- U.S. Embassy- Ankara. Reporting. February 8, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Child Labor Survey, 2006. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Today's Zaman. 42 Turkish child workers killed in first nine months of 2014. November 20, 2014. Source on file.
- Fair Labor Association. Independent External Monitoring of the Nestle, Olam, and Balsu Hazelnut Supply Chain in Turkey: 2014–2015. Washington, DC: 2015. <http://www.fairlabor.org/sites/default/files/documents/reports/may-2015-hazelnuts-executive-summary.pdf>.

- 11 Soguel, Dominique. How Turkey is tackling child labor in hazelnut harvesting. September 7, 2015. <https://www.csmonitor.com/World/Middle-East/2015/0907/How-Turkey-is-tackling-child-labor-in-hazelnut-harvesting>.
- 12 Support to Life. Frequently Asked Questions About Seasonal Agricultural Child Labor in Turkey. Hayata Destek, 2014. Source on file.
- 13 U.S. Embassy- Ankara. Reporting. January 18, 2017.
- 14 Al-Hayat (Pan Arab). Syrian children forced to work in Turkey. November 13, 2014. <http://www.al-monitor.com/pulse/ar/culture/2014/11/syria-child-labor-turkey-schools-refugees.html>.
- 15 Onur Burcak Belli. Syrian child workers 'left behind in life.' September 16, 2014. <https://www.aljazeera.com/news/middleeast/2014/06/syrian-child-workers-left-behind-life-20146228011456956.html>.
- 16 Save the Children, and UNICEF Small Hands, Heavy Burden: How the Syria Conflict Is Driving More Children into the Workforce. New York: July 2, 2015. [file:///C:/Users/Ruckel-Jo-A/US Department of Labor - DOL/ILAB Report - 2018 Source Folders/Philippines/14-Save the Children, and UNICEF Small Hands, Heavy Burden \(2015\).pdf](file:///C:/Users/Ruckel-Jo-A/US%20Department%20of%20Labor%20-%20DOL/ILAB%20Report%20-%202018%20Source%20Folders/Philippines/14-Save%20the%20Children,%20and%20UNICEF%20Small%20Hands,%20Heavy%20Burden%20(2015).pdf).
- 17 Didem Tali. As refugees pour in, child labor booms in Turkey. January 4, 2016. <http://america.aljazeera.com/articles/2016/1/4/as-refugees-pour-in-child-labor-booms-in-turkey.html>.
- 18 Jain, Sreenivasan. Children of Kobane: Escaped from ISIS, Into 'Slavery.' NDTV, September 29, 2015. <http://www.ndtv.com/world-news/children-of-kobane-escaped-from-isis-into-slavery-1224303>.
- 19 U.S. Embassy- Ankara. Reporting. February 23, 2016.
- 20 Williams, Holly. Refugee children forced into labor in Turkey. September 22, 2015. <https://www.cbsnews.com/news/refugee-children-forced-into-labor-in-turkey/>.
- 21 Stockmans, Pieter. Syrian child labour, a ticket to Europe. February 26, 2015. <https://www.middleeasteye.net/news/syrian-child-labour-ticket-europe>.
- 22 Associated Press. AP PHOTOS: Refugee Children Labor in Turkish Factories. June 10, 2016. <https://apimagesblog.com/blog/2016/06/10/refugee-children-labor-in-turkish-factories>.
- 23 BBC News. Child Refugees in Turkey Making Clothes for UK Shops. October 24, 2016. <https://www.bbc.com/news/business-37716463>.
- 24 Hava, Ergin. Child Labor and Danger in the Workplace in Turkey. June 20, 2016. <https://balkanist.net/child-labour-and-danger-in-the-workplace-in-turkey/>.
- 25 Hurriyet Daily News. Thousands including child workers employed in unlicensed mines in southeastern Turkey. July 27, 2014. <http://www.hurriyetdailynews.com/thousands-including-child-workers-employed-in-unlicensed-mines-in-southeastern-turkey.aspx?pageID=238&nID=68775&NewsCatID=347>.
- 26 Center for Middle Eastern Strategic Studies. Effects of the Syrian Refugees on Turkey. January 2015. http://tesev.org.tr/wp-content/uploads/2015/11/Effects_Of_The_Syrian_Refugees_On_Turkey.pdf.
- 27 U.S. Embassy- Ankara. Reporting. February 23, 2015.
- 28 ILO Committee of Experts. Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Turkey (ratification: 2001) Published: 2014. Accessed March 14, 2014. https://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3146966.
- 29 U.S. Department of State. Trafficking in Persons Report- 2019: Turkey. Washington, DC: June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/turkey/>.
- 30 U.S. Embassy- Ankara. Reporting. March 20, 2019.
- 31 U.S. Department of State. Trafficking in Persons Report- 2013: Turkey. Washington, DC: June 19, 2013. <https://www.state.gov/reports/2013-trafficking-in-persons-report/>.
- 32 U.S. Embassy- Ankara. Reporting. February 9, 2018.
- 33 Orhan, Fatih and Akpınar, Erdal. An example to seasonal migration in Turkey: Mobile agricultural labor. Ankara: International Geography Symposium. October 2018. http://tucaum.ankara.edu.tr/wp-content/uploads/sites/280/2018/12/30.Yil.TamMetin30Fatih-Orhan_Erdal-Akpınar2.pdf.
- 34 U.S. Embassy- Ankara official. Email communication to USDOL official. May 3, 2019.
- 35 UNHCR. Turkey Operational Update 2018 Highlights. 2018. <https://data2.unhcr.org/en/documents/download/68053>.
- 36 U.S. Embassy- Ankara official. Email communication to USDOL official. July 12, 2019.
- 37 Government of Turkey. Labor Act of Turkey, No. 4857. Enacted: May 22, 2003. https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/64083/77276/F75317864/TUR64083_English.pdf.
- 38 Government of Turkey. Regulation on the Principles and Procedures Governing the Employment of Child and Young Workers, No. 25425. Enacted: April 6, 2004. Source on file.
- 39 Government of Turkey. Criminal Code, Law No. 5327. Enacted: September 26, 2004. Source on file.
- 40 Government of Turkey. Law on Military Service, No. 1111. Enacted: March 20, 1927. <http://www.refworld.org/docid/3ae6b4d020.html>.
- 41 Government of Turkey. Education Reform Law, No. 6287. Enacted: March 30, 2012. <http://www.tbmm.gov.tr/kanunlar/k6287.html>.
- 42 Government of Turkey. Primary Education Law, No. 222. Enacted: May 1, 1961. <http://www.tbmm.gov.tr/kanunlar/k6287.html>.
- 43 Government of Turkey. Constitution of the Republic of Turkey. Enacted: 1982. http://global.tbmm.gov.tr/docs/constitution_en.pdf.
- 44 U.S. Embassy- Ankara. Reporting. January 14, 2015.
- 45 Fair Labor Association. Piloting the USDA Guidelines in the Hazelnuts Supply Chain in Turkey. Institutional Survey, Baseline Report. October 17, 2017. http://www.fairlabor.org/sites/default/files/documents/reports/institutional_survey_baseline_report_september_2017_0.pdf.
- 46 Fair Labor Association. Harvesting the Future: Piloting the United States Department of Agriculture Guidelines for Eliminating Child Labor and Forced Labor in Turkey's Hazelnut Supply Chain. 2018. http://www.fairlabor.org/sites/default/files/documents/reports/harvesting_the_future_june_2018.pdf.
- 47 GOT. Gendarmerie General Command. Jandarma Definition, Liability and Duties. Accessed February 10, 2017. <http://www.jandarma.gov.tr/>.
- 48 U.S. Embassy- Ankara. Reporting. March 18, 2014.
- 49 CIA. The World Factbook. Accessed August 20, 2019. <https://www.cia.gov/library/publications/the-world-factbook/geos/tu.html>.
- 50 ILO. Strategies and Practice for Labour Inspection. Geneva: Committee on Employment and Social Policy. November 2006. https://www.ilo.org/gb/GBSessions/WCMS_GB_297_ESP_3_EN/lang-en/index.htm.
- 51 UN. World Economic Situation and Prospects 2012 Statistical Annex. New York: 2012. http://www.un.org/en/development/desa/policy/wesp/wesp_current/2012country_class.pdf.
- 52 Government of Turkey. Status Report National Program on the Elimination of Child Labor 2017-2023. December 2018. Source on file.

Turkey

MODERATE ADVANCEMENT

- 53 U.S. Embassy- Ankara. Reporting. November 17, 2014.
- 54 Kilberg, Rebecca. Turkey's Evolving Migration Identity. Migration Policy Institute, July 24, 2014.
<http://www.migrationpolicy.org/article/turkeys-evolving-migration-identity>.
- 55 ILO. ILO and Turkey's Ministry of Labor and Social Security Pioneer on Combating Child Labour. February 23, 2018.
https://www.ilo.org/ankara/news/WCMS_618600/lang--en/index.htm.
- 56 European Commission. Turkey Progress Report. Brussels: September 8, 2014.
<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014SC0307&from=en>.
- 57 U.S. Embassy- Ankara official. Email communication to USDOL official. April 29, 2015.
- 58 Government of Turkey. National Action Plan: Strengthening Institutions in the Fight Against Human Trafficking. Ankara: 2009.
- 59 Government of Turkey. National Employment Strategy (2014–2023). Enacted May 6, 2014.
<http://www.uis.gov.tr/Media/Books/UIS-en.pdf>.
- 60 European Union and the Government of Republic of Turkey. Improving Social Integration and Employability of Disadvantaged Persons Grant Scheme. March 25, 2014.
<http://ihale.ikg.gov.tr/list.aspx?lang=en>.
- 61 U.S. Embassy- Ankara official. Email communication to USDOL official. June 6, 2014.
- 62 ILO. Partnership to Reduce Child and Forced Labor in Imported Agricultural Products: Piloting the USDA Guidelines in Turkey's Hazelnut Supply Chain. Technical Progress Report. Washington, DC: January 2018. Source on file.
- 63 U.S. Embassy- Ankara. Reporting. February 16, 2016.
- 64 UN. Global Pledges to Improve Children's Well-Being 'A Distant Dream' without Renewed Respect for Their Rights, Notably Protection, Third Committee Speakers Declare. October 10, 2018.
<https://www.un.org/press/en/2018/gashc4232.doc.htm>.

In 2018, Tuvalu made a minimal advancement in efforts to prevent the worst forms of child labor. The government made efforts by doubling the number of labor inspectors from the previous year from two to four. Additionally, the government passed the Labour and Employment Relations Act which prohibits the worst forms of child labor, and it has continued conducting consultations throughout the country on the proposed Child Protection and Welfare law. However, although research is limited, there is evidence that children in Tuvalu engage in child labor in fishing and domestic work. The government has not specified, by national law or regulation, the types of hazardous work prohibited for children, leaving children vulnerable to the worst forms of child labor. In addition, Tuvalu lacks data to determine the prevalence and nature of child labor in the country.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Tuvalu engage in child labor in fishing and domestic work. (1-3) Table 1 provides key indicators on children's work and education in Tuvalu. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		104

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (4)

Source for all other data were unavailable from International Labor Organization's analysis, 2019. (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	Fishing, activities unknown (1,6)
Services	Domestic work (6)

Tuvalu lacks data to determine the prevalence and nature of child labor in the country. (3,6)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Tuvalu has ratified one key international convention 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	

MINIMAL ADVANCEMENT

Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Tuvalu's legal framework to adequately protect children from the worst forms of child labor, including the identification of hazardous occupations or activities prohibited for children.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 42 of the Labour and Employment Relations Act (6,7)
Minimum Age for Hazardous Work	Yes	18	Article 44 of the Labour and Employment Relations Act (6,7)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Articles 46 and 48 of the Labour and Employment Relations Act; Articles 244 and 249 of the Penal Code; Article 68 of the Counter Terrorism and Transnational Organized Crime Act; Article 18 of the Constitution of Tuvalu (6-10)
Prohibition of Child Trafficking	Yes		Article 68 of the Counter Terrorism and Transnational Organized Crime Act; Articles 136 and 244 of the Penal Code (8,10)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 46 of the Labour and Employment Relations Act; Articles 136–137, 139–143, and 166 of the Penal Code (6-8)
Prohibition of Using Children in Illicit Activities	Yes		Article 46 of the Labour and Employment Relations Act; Articles 141–142 of the Penal Code (6-8)
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 46 of the Labour and Employment Relations Act (7)
Compulsory Education Age	Yes	15	Education Order (11)
Free Public Education	No		Free Education Policy (6)

† No standing military (12)

During the reporting period, the Department of Labor, along with the ILO, conducted consultations on ratifying international labor conventions and implementing its international commitments with the government and NGO stakeholders. (6) Additionally, the government continued its review of the draft 2017 Child Protection and Welfare Bill. (6,13) This will be the first law in Tuvalu to make comprehensive provisions for issues related to the rights, protection, and welfare of children. With support from UNICEF, the Government of Tuvalu has conducted consultations throughout the country on the proposed law. (6)

The Government of Tuvalu has not specified, by national law or regulation, the types of hazardous work prohibited for children; previous provisions only applied to a male person under the age of 18 in the industry, mining, and fishing sectors. (2,7,14)

Although child trafficking is prohibited in Tuvalu, the law prescribes a harsher punishment for individuals involved in the trafficking of adults than for those involved in the trafficking of children. (10) The laws also do not prohibit recruiting children under age 18 into non-state armed groups. (2)

Laws in Tuvalu do not ensure free basic education, but there is a policy that provides for free basic education. (2,6,15-17)

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 Department of Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor	Enforces labor laws, including those related to child labor. (18)
Tuvalu Police Force	Investigates and enforces criminal laws related to the worst forms of child labor. (6,18)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Tuvalu took actions to combat child labor (Table 6). However, gaps exist within the operations of the Department of Labor that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$0 (2)	Unknown (6)
Number of Labor Inspectors	2 (2)	4 (6)
Inspectorate Authorized to Assess Penalties	No (2)	Unknown (6)
Initial Training for New Labor Inspectors	N/A (2)	Unknown (6)
Training on New Laws Related to Child Labor	N/A (2)	N/A (6)
Refresher Courses Provided	No (2)	Yes (6)
Number of Labor Inspections Conducted	0 (2)	Unknown (6)
Number Conducted at Worksite	0 (2)	Unknown (6)
Number of Child Labor Violations Found	0 (2)	0 (6)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (2)	0 (6)
Number of Child Labor Penalties Imposed that Were Collected	N/A (2)	0 (6)
Routine Inspections Conducted	No (2)	Yes (6)
Routine Inspections Targeted	No (2)	Yes (6)
Unannounced Inspections Permitted	Yes (2)	Yes (6)
Unannounced Inspections Conducted	No (2)	Unknown (6)
Complaint Mechanism Exists	No (2)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (2)	Yes (6)

In 2018, the Government of Tuvalu doubled the number of labor inspectors from two to four. (6)

Despite adding new labor inspectors, insufficient financial resources hampered the labor inspectorate’s capacity to formally monitor and enforce child labor laws, leaving the government to rely on local communities to report potential offenses. (2,3,6,19)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Tuvalu took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	No (2)	Unknown (6)
Training on New Laws Related to the Worst Forms of Child Labor	No (2)	N/A (6)
Refresher Courses Provided	No (2)	Unknown (6)
Number of Investigations	0 (2)	Unknown (6)

MINIMAL ADVANCEMENT

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

Overview of Criminal Law Enforcement	2017	2018
Number of Violations Found	0 (2)	0 (6)
Number of Prosecutions Initiated	0 (2)	0 (6)
Number of Convictions	0 (2)	0 (6)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown (20)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (6)

During the reporting period, the U.S. Embassy in Suva provided trafficking-in-persons training to the Tuvalu Police Force. (6)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
National Advisory Committee on the Convention on the Rights of the Child (NACCRC)	Coordinates child protection issues and implements the Convention on the Rights of the Child. Led by Ministry of Education and the Office of the Attorney General. (6,20) Maintains a Child Protection Desk to support and coordinate the implementation of the child protection work program, and ensures coherence of child protection intervention efforts of NACCRC. (6,20,21) During the reporting period, a review and public consultations of the Child Protection and Welfare Bill were held. (20)
Free Education Policy	Establishes free basic education for children ages 6 through 13. (6) This mechanism was active during the reporting period. (20)

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 mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
United Nations Pacific Strategy (2018–2022)†	A multinational strategic framework program consisting of 14 South Pacific nations to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (23)
Tuvalu National Human Rights Action Plan (2016–2020)	Consolidates the government's human rights coordination and delivery of services, including implementation of the UN CRC. (22) This policy was active during the reporting period. (20)
Child Protection Work Plan	Includes the drafting of a Child Protection Bill and a Child Protection in Schools Policy, with implementation plans and cost estimates. Involves public relations activities, such as awareness raising and advocacy. (24) During the reporting period, the government engaged researchers to undertake child protection baseline research, as part of its 2017 Child Protection Work Plan. The research is expected to determine the prevalence and causes of child protection issues. (6)

† 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)

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 programs addressing child labor in the fishing sector.

Table 10. Key Social Programs to Address Child Labor

Program	Description
UNICEF Pacific Multi-Country Child Protection Program (2018–2022)*	Multi-country program in 14 Pacific Island countries. (26) Prioritizes children's rights, including the elimination of the worst forms of child labor. Aligned with the UN Pacific Strategy 2018–2022. (26) During the reporting period, consultants were hired to conduct child protection baseline research. (20)
Decent Work Country Program	ILO-implemented program that aims to strengthen Tuvalu's labor laws, support the ratification of ILO C. 182, and improve data collection on child labor. (27,28) Seeking funding to continue to support labor laws and ratification of international conventions. (6) This program was active during the reporting period. (20)
Education for All Program	Australian Government-funded program to improve access to quality education in Tuvalu. Objectives include increasing capacities in education planning and administration, teacher training, and early grade literacy. (16) This program was active during the reporting period. (20)
Government Vocational Training Programs†	Government-funded programs that provide vocational training to children who have finished compulsory primary education. Includes the High School Vocational Training Program at Motufoua Secondary School, which provides vocational training to students starting at year 13. (16,21) This program was active during the reporting period. (20)

* Program was launched during the reporting period.

† Program is funded by the Government of Tuvalu.

During the reporting period, the Office of the Attorney General and Ministry of Education, Youth and Sports, with support from UNICEF Pacific, began implementing various child protection interventions that align with the 2018–2022 UNICEF Pacific Multi-Country Child Protection Program. (6) The Government of Tuvalu continued working with the ILO to extend the now expired Decent World Country Program. (29)

Research found no evidence of programs to specifically address child labor in the fishing sector.

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 Tuvalu (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify ILO C. 182, UN CRC Optional Protocol on Armed Conflict, UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the Palermo Protocol.	2013 – 2018
	Determine the types of hazardous work prohibited for all children in consultation with employers' and workers' organizations.	2017 – 2018
	Ensure that the law criminalizes the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
Enforcement	Dedicate sufficient financial resources for child labor law enforcement.	2009 – 2018
	Institutionalize training for labor inspectors and for investigators.	2017 – 2018
	Publish labor law enforcement information, including labor inspectorate funding, ability to assess penalties, initial training for new labor inspectors, the number of labor inspections conducted, and the number of unannounced inspections conducted.	2016 – 2018
	Publish comprehensive information on criminal law enforcement efforts related to child labor, including training for investigators, and the number of investigations conducted.	2018
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2010 – 2018
	Institute programs to address child labor in the fishing sector.	2009 – 2018

MINIMAL ADVANCEMENT

REFERENCES

- 1 U.S. Embassy- Suva official. Email communication to USDOL official. January 29, 2015.
- 2 U.S. Embassy- Suva. Reporting. December 17, 2017.
- 3 U.S. Department of State. Country Reports on Human Rights Practices- 2017: Tuvalu Washington, DC, 2018. <https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/tuvalu/>.
- 4 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 5 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 6 U.S. Embassy- Suva. Reporting. January 16, 2019.
- 7 Government of Tuvalu. Labour and Employment Relations Act 2017. Enacted: 2017. Source on file.
- 8 Government of Tuvalu. Penal Code (Revised 2008), Cap 10 20. Enacted: October 18, 1965. http://www.tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/1965/1965-0007/ PenalCode_1.pdf.
- 9 Government of Tuvalu. The Constitution of Tuvalu. Enacted: October 1, 1986. Revised: 2008. <http://www.parliament.am/library/sahmanadrutyunnor/tuvalu.pdf>.
- 10 Government of Tuvalu. Counter Terrorism and Transnational Organized Crime Act, 6 of 2009. Enacted: November 30, 2009. http://tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/2009/2009-0006/ CounterTerrorismandTransnationalOrganisedCrimeAct2009_1.pdf.
- 11 Government of Tuvalu. Education (Compulsory Education) Order, Cap. 30.05.4. Enacted: January 1, 1984. Revised: 2008. http://tuvalu-legislation.tv/cms/images/LEGISLATION/SUBORDINATE/1984/1984-0014/ EducationCompulsoryEducationOrder_1.pdf.
- 12 Child Soldiers International. Louder Than Words: An agenda for action to end state use of child soldiers. September 2012. <https://www.child-soldiers.org/shop/louder-than-words-1>.
- 13 Government of Tuvalu. Drafting a New Child Protection Act for Tuvalu- Second Consultation Draft. September 25, 2017. Source on file.
- 14 Government of Tuvalu. Employment Act, 0006. Enacted: 2008. http://www.tuvalu-legislation.tv/cms/images/LEGISLATION/PRINCIPAL/1965/1965-0006/ EmploymentAct_1.pdf.
- 15 U.S. Embassy- Suva official. Email communication to USDOL official. May 14, 2014.
- 16 U.S. Embassy- Suva official. Email communication to USDOL official. April 20, 2015.
- 17 Government of Tuvalu, Ministry of Education, Youth, and Sports. National Education for All 2015 Report: Tuvalu. February 2015. <http://unesdoc.unesco.org/images/0023/002331/233123e.pdf>.
- 18 U.S. Embassy- Suva. Reporting. December 14, 2016.
- 19 U.S. Embassy- Suva official. Email communication to USDOL official. March 9, 2016.
- 20 U.S. Embassy- Suva official. Email communication to USDOL official. June 25, 2019.
- 21 U.S. Embassy- Suva official. Email communication to USDOL official. March 12, 2019.
- 22 Government of Tuvalu. Human Rights National Action Plan 2016-2020. Released 2017. http://rrrt.spc.int/images/PDF_Files/Tuvalu_National_HumanRights_Action_Plan.pdf.
- 23 United Nations United Nations Pacific Strategy 2018-2022 - A Multi-Country Sustainable Development Framework in the Pacific Region. United Nations in the Pacific, 2017. https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf.
- 24 U.S. Embassy- Suva. Email communication to USDOL official. January 29, 2019.
- 25 Radio New Zealand International. Tuvalu Launches National Youth Policy. Radio broadcast, August 12, 2015. <http://www.radionz.co.nz/international/programmes/datelinepacific/audio/201766182/tuvalu-launches-national-youth-policy>.
- 26 UN. Strategy Note for the 2018-2022 Pacific Multi-Country Programme of Cooperation. New York, October 10, 2017. Source on file.
- 27 ILO and Government of Tuvalu. Decent Work Country Programme: Tuvalu. November 26, 2009. http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_120556.pdf.
- 28 U.S. Embassy- Suva official. Email communication to USDOL official. April 18, 2017.
- 29 U.S. Embassy- Suva official. Email communication to USDOL official. March 5, 2019.

In 2018, Uganda made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Gender, Labor, and Social Development, in partnership with the Kampala Capital City Authority, removed 283 children from the streets of Kampala and provided them with social services. The government initiated proceedings to harmonize legal provisions on minimum age to align with international standards. It also drafted a National Action Plan on Child Labor, which was approved in February 2019. However, children in Uganda engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in gold mining. The lack of a centralized supervisory authority, as well as inadequate funding, training, and resources, hampered the capacity of law enforcement agencies to conduct child labor inspections and investigations. Gaps in the legal framework persist, including contradicting laws regulating the minimum age for employment. In addition, existing programs are inadequate to address child labor in the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Uganda engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. (1-3) Children also perform dangerous tasks in gold mining. (4-7) Table I provides key indicators on children's work and education in Uganda.

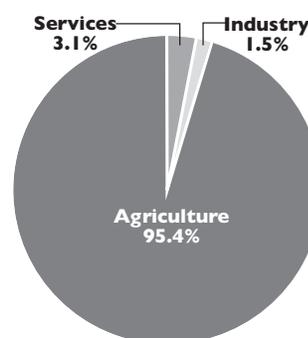
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	30.9 (3,034,126)
Attending School (%)	5 to 14	88.7
Combining Work and School (%)	7 to 14	34.4
Primary Completion Rate (%)		51.0

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (8)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey, 2016-17. (9)

Figure I. Working Children by Sector, Ages 5-14



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	Cultivating and harvesting cocoa, coffee, corn, tea,† tobacco,† rice,† sugarcane,† and vanilla, and acting as scarecrows in rice fields (10-16)
	Working with livestock, including herding cattle† (11, 16-18)
	Fishing,† including catching, smoking,† and selling fish, and paddling† and loading boats† (4, 11, 17, 19)
	Producing charcoal (11)
	Collecting grasshoppers (17, 18)

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Construction,† including making and laying bricks (16,17)
	Quarrying stone† and mining gold, sand,† and salt (4,5,11,17,20-25)
	Manufacturing, including in steel rolling mills† and carpentry workshops† (11,17)
Services	Domestic work† (1,2,4,16-18,26,27)
	Street work, including vending,† begging,† car washing,† working as porters,† scavenging,† and collecting and selling scrap metal (1,2,11,17,18,28-31)
	Working in hairsalons, hotels,† restaurants,† bars,† and video halls† (1,11,16,17,28)
	Collecting firewood for sale (32)
	Producing alcoholic beverages (17,33)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3,17,18,28)
	Forced labor in agriculture, fishing, cattle herding, working in bars and restaurants, begging, brick making, mining, stone quarrying, street vending, and domestic work, each sometimes as a result of human trafficking (3,17,18,31,33-35)
	Use in the production of pornography and pornographic performances (36,17)
	Use in illicit activities, including smuggling, burglary, and car and house break-ins, sometimes as a result of human trafficking (1,11,17)

† 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.

In June 2018, the Government of Uganda published results from the 2016/17 National Labour Force Survey. (37) The results show that an estimated 2,057,000 children are in child labor, which is a slight increase in the total number of children in child labor from the previous 2011/2012 survey. The government indicated that this figure is a lower-bound estimate because it does not include children involved in unconditional worst forms of child labor, including but not limited to child trafficking. (37)

Children from the Karamoja region are trafficked and at times willingly migrate to Kampala and other urban centers, where they engage in begging, street vending, domestic work, and commercial sexual exploitation. (2,3,30,31) In 2018, NGO and media reports indicated that children from Karamoja are sold in open-air markets or through intermediaries and forced into domestic work, begging, herding, and sexual exploitation. (38-40) Children from neighboring countries are exploited in forced agricultural labor and commercial sexual exploitation in Uganda. (3)

Although the law provides for free compulsory education, the cost of school supplies, uniforms, and other materials often prohibits children from attending school. (4,7,41-43) Research also found that children experience physical and sexual abuse at school by teachers and classmates. (36,42) Furthermore, a lack of teachers and adequate school infrastructure, as well as poor transportation in remote rural areas have, created barriers to children’s access to education. (17,44)

Although laws on free compulsory education apply equally to refugee children, a UNHCR report from 2018 notes that 149,806 refugee children are either not enrolled in or not attending school. Girls in refugee camps are at particular risk of being out of school and vulnerable to exploitation due to pressure to undertake domestic duties and gender-based violence and harassment. (45,46) In addition to the same obstacles faced by Ugandan children, refugee children may face discrimination from fellow pupils and teachers due to their refugee status, and they may also experience language barriers. (47) For a number of refugee settlements, such as Nakivale, schools are often located far from where refugees live and are inadequately equipped to meet the needs of the large student population. (48)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Uganda has ratified most 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 Uganda's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Section 7 of the Children (Amendment) Act (49)
Minimum Age for Hazardous Work	No	18	Section 7 of the Children (Amendment) Act; Section 32 of the Employment Act; and Regulation 5 of the Employment (Employment of Children) Regulations (49-51)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Regulation 6 and the First Schedule of the Employment (Employment of Children) Regulations; Section 7 of the Children (Amendment) Act (49,51)
Prohibition of Forced Labor	Yes		Section 5 of the Employment Act; Sections 3–5 of the Prevention of Trafficking in Persons Act (50,52)
Prohibition of Child Trafficking	Yes		Sections 3–5 of the Prevention of Trafficking in Persons Act (52)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 8 of the Children (Amendment) Act; Sections 3–5 of the Prevention of Trafficking in Persons Act; Sections 131, 136–137, and 139 of the Penal Code; and Section 14 of the Anti-Pornography Act (49,52-54)
Prohibition of Using Children in Illicit Activities	Yes		Article 5(d) of the Prevention of Trafficking in Persons Act (52)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 52(2)(c) of the Defense Forces Act (55)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 5(b) of the Prevention of Trafficking in Persons Act (52)
Compulsory Education Age	No	13‡	Section 10(3)(a) of the Education Act (41)
Free Public Education	Yes		Section 10(3)(a) of the Education Act (41)

* No conscription (55)

‡ Age calculated based on available information (41)

The law's minimum age protections do not apply to children working without a formal employment relationship. (50)

Although Uganda has a list of hazardous occupations prohibited to children under age 18, Section 8 of the Employment of Children Regulations permits a commissioner to allow children age 12 and older enrolled in an educational training or apprenticeship program to engage in hazardous work, in violation of international standards. (51)

MODERATE ADVANCEMENT

Children in Uganda are required to attend school only up to age 13, although public education is free until age 18. This standard makes children ages 13 to 15 vulnerable to child labor because they are not required to attend school but are not legally permitted to work. (41) In 2018, the government began a process to harmonize the country's legal provisions and bring the allowable minimum age for work in line with international standards. The process will require approval from the cabinet, parliament, and the president before enactment and is expected to conclude in 2019. (17)

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 authority of the Ministry of Gender, Labor, and Social Development (MGLSD) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Gender, Labor, and Social Development (MGLSD)	Sets labor inspection priorities and inspection guidelines. (44,56) The Industrial Court makes judgments on labor dispute cases, which are referred to the court by labor officers. (11) Operates the Uganda Child Helpline known as <i>Sauti</i> . (57)
Ministry of Internal Affairs	Enforces criminal laws on the worst forms of child labor. The Uganda Police Force's Child and Family Protection Unit (CFPU) investigates forced labor cases, the Special Investigations Division and the Anti-Human Trafficking Desk investigate cases related to human trafficking and the use of children in illicit activities, and the Sexual Offenses Desk investigates commercial sexual exploitation. (11) Liaison officers handle child labor complaints and overall child protection issues at police posts that do not have a CFPU officer. The Immigration Department assists in identifying potential human trafficking victims. (58)
Ministry of Local Government	Oversees district labor officers who refer cases to the Industrial Court. (11) Deploys community development officers at the district level when district labor officers are not available. (32)
Directorate of Public Prosecutions	Prosecutes criminal cases related to the worst forms of child labor that are referred by the Uganda Police Force. (59)

Research found that coordination among the various agencies responsible for child labor law enforcement remains a challenge because labor officers are under district government authority, rather than that of the MGLSD. (60,61) In addition, due to budgetary limitations at the district level, the majority of districts in Uganda do not have labor officers. (44) Despite the decentralization of labor law enforcement efforts, Uganda is signatory to ILO Convention 81 that requires labor inspection to be placed under the supervision and control of a central authority. (58,62,63) Although under the Employment Act labor officers are required to submit monthly reports, in practice the MGLSD does not receive labor reports from districts. Research also found that followup inspections rarely happen due to insufficient funding at the district level. (56) The government has initiated a process to amend legislation placing the inspection system under a central authority. (62) In 2018, the Industrial Court advocated the MGLSD to supervise district labor officers with the hope that it will increase the number of child labor case referrals. (11,64) Research found that the Industrial Court has not heard any child labor cases since its inception. (61)

In 2018, the MGLSD, in conjunction with the Kampala Capital City Authority, removed 283 street children (184 girls and 99 boys) from the streets of Kampala and placed them in a rehabilitation center before resettling them in Napak, Masaka, Mpigi, and Kampala districts. (17)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Uganda took actions to combat child labor (Table 6). However, gaps exist within the authority of the MGLSD that may hinder adequate labor law enforcement, including penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown (17)
Number of Labor Inspectors	47 (33)	73 (17)
Inspectorate Authorized to Assess Penalties	No (33)	No (17)
Initial Training for New Labor Inspectors	Yes (33)	Yes (17)
Training on New Laws Related to Child Labor	Yes (33)	No (17)
Refresher Courses Provided	Yes (33)	Yes (17)
Number of Labor Inspections Conducted	Unknown	Unknown (17)
Number Conducted at Worksite	Unknown	Unknown (17)
Number of Child Labor Violations Found	Unknown	Unknown (17)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (17)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (17)
Routine Inspections Conducted	Yes (33)	Yes (17)
Routine Inspections Targeted	Yes (33)	Yes (17)
Unannounced Inspections Permitted	Yes (33)	Yes (17)
Unannounced Inspections Conducted	Yes (33)	Yes (17)
Complaint Mechanism Exists	Yes (33)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (33)	Yes (17)

The number of labor inspectors is likely insufficient for the size of Uganda's workforce, which includes more than 15 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed countries, Uganda would employ about 400 inspectors. (65-67) In addition, enforcement of child labor laws remains challenging due to the lack of resources for inspections. (33) As a result, local civil society organizations train labor inspectors and often assist them in conducting inspections. In 2018, the NGO Platform for Labor Action (PLA) conducted 10 child labor inspections in gold mining, tobacco farming, and road construction, 5 of which were in coordination with a government labor inspector. (17) In 2018, PLA also trained 73 full-time and 7 part-time labor inspectors, including both new recruits and previously hired labor inspectors. (68)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Uganda 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 (33)	Yes (17)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (69)	No (17)
Refresher Courses Provided	Yes (70)	Yes (17)
Number of Investigations	Unknown	30 (71)
Number of Violations Found	Unknown	155 (71)
Number of Prosecutions Initiated	Unknown	Unknown (17)
Number of Convictions	Unknown	Unknown (17)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (72)	Unknown (72)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (33)	Yes (17)

According to the government, there is not a sufficient number of criminal law enforcement officials responsible for investigating child labor. (11) Training is insufficient, in part due to regular staff turnover and transfers. Some criminal law enforcement officials were not aware of key human trafficking laws, and some police officers did not understand the evidence needed to prosecute child labor cases. (3,33) In August 2018, the government

Uganda

MODERATE ADVANCEMENT

reported that between January and June 2018, 58 domestic trafficking cases involving children were registered with the police. (40) In September 2018, the Uganda Police Force arrested eight people for trafficking children from the Karamoja region to Kampala. (38) In addition, in 2018, the media reported that some high-level officials were associated with, or partially owned, labor recruitment companies suspected to be involved in trafficking in persons, including child trafficking. The association of these high-level officials with these entities may have impeded law enforcement efforts to investigate their operations. (72,73)

Research found that street children, including potential human trafficking victims, have faced conflict with local authorities and are sometimes detained by police. (1,3,40,68) In January 2018, the Uganda Police Force arrested 45 women and girls, some as young as age 15, at a bar in the Central region for allegedly participating in pornographic performances. The police plan to charge those arrested with being a public nuisance, and cases remained pending at the end of 2018. (17) According to the government, police officers identify and refer street children to probation officers and civil society organization actors to place children in homes and shelters and do not keep them in detention facilities; however, some children may have been housed in juvenile rehabilitation centers because shelters are frequently full. Police intermittently rounded up street children, housed them in children's homes and shelters for several days while social workers completed background checks and family tracing, and then returned them to their families. (64,74) Some children from the Karamoja region were enrolled in a youth training center in Karamoja, where they were provided with counseling and vocational training before they were returned to their families. (59,74)

During the reporting period, 30 police officers in Kampala were trained by the PLA regarding the law on domestic workers, which included a module specific to child labor in domestic work. (17)

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 coordination among agencies.

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

Coordinating Body	Role & Description
National Steering Committee on the Elimination of Child Labor	Coordinates child labor issues and implements the National Action Plan on the Elimination of the Worst Forms of Child Labor. Led by MGLSD, includes members from several ministries, the Uganda Police Force's CFPU, trade unions, development organizations, civil society, and media agencies. (17) The committee met twice in 2018. (63)
Stop Child Labor Partners Forum	Coordinates, monitors, and evaluates child labor-related programs and policies in Uganda. Led by the National Council for Children, with representatives from several ministries, CFPU, and civil society groups. (75) Research was unable to determine whether the forum was active during the reporting period.
Anti-Human Trafficking National Taskforce	Coordinates government efforts on human trafficking. Led by the Ministry of Internal Affairs, includes 30 members from government agencies and civil society. (75,76) During the reporting period, and in collaboration with the Coordination Office for Prevention of Trafficking in Persons, the Anti-Human Trafficking National Taskforce developed referral guidelines for human trafficking victims. (71)
National Child Protection Working Group	Monitors the quality of services provided to orphans and vulnerable children. Led by MGLSD, includes members from five government agencies and civil society organizations. (11) Research was unable to determine whether the working group was active during the reporting period.
National Children's Authority	Works to ensure that member organizations integrate child labor concerns into their policies and budgets. Members include 10 government agencies. (11) Research was unable to determine whether the National Children's Authority was active during the reporting period.

In 2018, the Anti-Human Trafficking National Taskforce also reviewed a new national action plan for the prevention of trafficking in persons, which it plans to bring into force in 2019. (72)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Elimination of Child Labor 2017/2018–2021/2022	Aims to reduce child labor in Uganda by 4 percent by 2022 through strengthening governmental frameworks on child labor; increasing coordination, expanding access to social services for children, enhancing research and advocacy, and improving the Monitoring and Evaluation System for the elimination of child labor. The government approved the plan in February 2019. (78,79)
National Social Protection Policy	Aims to reduce poverty and socioeconomic inequalities for inclusive development by targeting vulnerable people, including child laborers. (81) Research was unable to determine whether activities were undertaken to implement the National Social Protection Policy during the reporting period.
National Strategy for Girls' Education in Uganda (2015–2019)	Promotes girls' education and identifies child labor, particularly domestic work, as a key barrier to girls' access to education. (77) Research was unable to determine whether activities were undertaken to implement the National Strategy for Girls' Education in Uganda during the reporting period.
National Multi-Sectoral Coordination Framework for Adolescent Girls (2017/2018–2021/2022)	Coordinates government, civil society, and community efforts to provide services and programs that focus on issues affecting adolescent girls ages 10 to 19, including exploitation in domestic work and gender-based violence in schools. (17,82) Research was unable to determine whether activities were undertaken to implement the National Multi-Sectoral Coordination Framework for Adolescent Girls during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (83,84)

In 2018, the National Action Plan on the Elimination of the Worst Forms of Child Labor expired. The government has submitted a new 5-year plan for review to the ILO and other stakeholders, and received approval with slight modifications from the MGLSD in February 2019. (17,68,72,85) Cabinet approval is pending, and expected to take place in 2019. (72) However, due to the decentralized nature of labor inspection, some districts have developed their own labor action plans that do not always reflect MGLSD priorities. (63) The National Action Plan to Combat Human Trafficking also expired in 2018. The Ministry of Internal Affairs is in the process of developing a new plan, which it intends to launch in 2019. (17)

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 efforts to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	Country-Level Engagement and Assistance to Reduce Child Labor Project (CLEAR) (2013–2018), implemented by ILO in 11 countries to build local and national capacity of the government to address child labor; and the African Youth Empowerment and Development Initiative (AYEDI) (2013–2018), \$3.3 million project implemented by World Education, Inc. (86,87) Additional information is available on the USDOL website.
Combating Child Labor in Tobacco Growing (2013–2021)	Eliminating Child Labor in Tobacco Growing Foundation-funded program implemented by ILO that improves the capacity of the government and social partners to develop and implement policies to combat child labor in agriculture. (78,88) During the reporting period, the project provided school meals to more than 7,000 children and supported the development of both the Uganda National Action Plan for the Elimination of Child Labor and the Hoima District Action Plan. In 2018, the project was extended until 2021, seeking to support another 38,000 children in the western districts of Hoima and Kikube. (40,88)
Uganda Child Helpline	Funded primarily by UNICEF with in-kind contributions from MGLSD, comprises Distract Action Centers (DACs) and a physical call center located in Wakiso that screens all calls on reported cases of child abuse. Caseworkers at DACs follow up directly on cases of child abuse, including child labor and exploitation, assigned to them by the National Call Center and liaise with local authorities to address the reported incidents. (57) In 2018, six staff members received training on how to identify instances of child labor, screening calls, best practices for providing support to victims, and confidentiality. (57,89) In 2018, the helpline logged 64 calls related to child labor and commercial sexual exploitation, and 40 calls related to child trafficking. Uganda Child Helpline coordinated with the police and local authorities to investigate and resolve all reported cases. (18)

MODERATE ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Realizing Livelihood Improvement Through Savings and Education	NGO-implemented program in partnership with the government that provides technical assistance and capacity building to MGLSD and the National Steering Committee on the Elimination of Child Labor. (36) The program was extended through 2018. (33)
Back Home Campaign for Karamoja Children†	Government program that rescues Karamoja street children working in Kampala and places them in newly completed rehabilitation centers in Wakiso and Moroto districts before reuniting them with their families. (17,90)

† Program is funded by the Government of Uganda.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (91-93)

Although Uganda has programs that address child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in agriculture and commercial sexual exploitation.

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 Uganda (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2018
	Ensure that only minors age 16 and older who have received adequate, specific instruction or vocational training are permitted to perform hazardous work, and that their health, safety, and morals are fully protected.	2017 – 2018
	Ensure that all children are protected by law, including children who do not work under a formal employment relationship.	2016 – 2018
	Ensure that the law requires free, compulsory education up to age 16 so that it is commensurate with the minimum age for work.	2009 – 2018
Enforcement	Ensure coordination between the Ministry of Gender, Labor, and Social Development and the Ministry of Local Government so that labor dispute cases are referred to the Industrial Court, and ensure that the Industrial Court hears child labor cases.	2015 – 2018
	Ensure that information on child labor collected at the district level is transmitted to the labor inspectorate.	2018
	Publish information on the labor inspectorate's funding, type of labor inspections conducted, number of child labor violations found, number of child labor penalties imposed, and number of penalties collected.	2013 – 2018
	Publish disaggregated data on the prosecutions initiated, convictions achieved, number of investigations, and number of violations for the worst forms of child labor.	2017 – 2018
	Authorize the labor inspectorate to assess penalties.	2017 – 2018
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2018
	Ensure sufficient funding, training, and resources for law enforcement agencies so that child labor inspections and investigations can be properly conducted.	2013 – 2018
	Strengthen mechanisms for referring street children, including potential human trafficking victims, to social services providers, and prevent these children from being detained.	2015 – 2018
	Ensure that allegations of involvement of government officials in cases of the worst forms of child labor are investigated.	2018
Coordination	Publish information on activities undertaken by coordinating bodies, such as the Stop Child Labor Partner Forum, the Anti-Human Trafficking National Taskforce, and the National Child Protection Working Group.	2018
	Ensure that existing policies addressing child labor are implemented as intended.	2018
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including refugees, regardless of their ability to purchase school materials.	2012 – 2018
	Ensure that students are protected from physical and sexual abuse by teachers and classmates.	2012 – 2018
	Ensure the availability of shelters for victims of child labor, including child trafficking victims.	2017 – 2018
	Ensure that social programs to address child labor are implemented in accordance with their mandates.	2018
	Expand existing social programs to address the scope of the child labor problem, particularly in agriculture and commercial sexual exploitation.	2009 – 2018

REFERENCES

- 1 Human Rights Watch. Where do you want us to go? Abuses against Street Children in Uganda. New York, July 17, 2014. <http://www.hrw.org/reports/2014/07/17/where-do-you-want-us-go>.
- 2 ANPPCAN-Uganda. Annual Situation Analysis on Karamojong Children and Families' Street Migration in Uganda. April 2015. http://www.anppcanug.org/wp-content/uploads/situation_analysis/sit_analysis_2015.pdf.
- 3 U.S. Department of State. Trafficking in Persons Report- 2018: Uganda. Washington, DC, June 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/uganda/>.
- 4 World Education/Bantwana. Africa Youth Empowerment Development Initiative Baseline Report. December 2014. Source on file.
- 5 Nakabugo, Zurah. Uganda- Where Pupils, Teachers, Parents Prefer Gold Mining to Schooling. The Observer (Kampala). June 12, 2017. <http://allafrica.com/stories/201706120764.html>.
- 6 Schipper, Irene et al. No Golden Future: Use of child labour in gold mining in Uganda. SOMO. April 2016. <https://www.somo.nl/wp-content/uploads/2016/05/No-golden-future-7.pdf>.
- 7 Platform for Labour Action. Child Labour in Gold Mining: A Study of Bugiri and Moroto Districts of Uganda. 2017. <http://ecouganda.org/wp-content/uploads/2015/07/REPORT-ON-CHILD-LABOUR-IN-GOLD-MINING.pdf>.
- 8 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%) Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 9 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Labour Force Survey, 2016-17. Analysis received May 30, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 10 O'Dowd, Vinnie, and Danny Vincent. Catholic Church linked to Uganda child labour. BBC News. January 5, 2016. <http://www.bbc.com/news/world-africa-35220869>.
- 11 U.S. Embassy- Kampala. Reporting. January 15, 2016.
- 12 Nware, Moses et al. The Quality of Education in Uganda: A Case of Iganga and Mayuge Districts. Nairobi, African Population and Health Research Center, May 2016. http://aphrc.org/wp-content/uploads/2016/06/ERP-IV-Final-Report_June-2016.pdf.
- 13 Nakato, Tausi. Uganda - Luuka Pupils Abandon School to work on Sugarcane Plantations. The Monitor, Kampala, July 4, 2017. <http://allafrica.com/stories/201707050089.html>.
- 14 Austin, Kelly. Brewing Unequal Exchanges in Coffee: A Qualitative Investigation into the Consequences of the Java Trade in Rural Uganda. Journal of World-Systems Research 23, 2 (2017). <http://jwsr.pitt.edu/ojs/index.php/jwsr>.
- 15 Walakira, Eddy, et al. The State of the Ugandan Child – An Analytical Overview. November 2015. http://pdf.usaid.gov/pdf_docs/PA00M978.pdf.
- 16 Uganda Bureau of Statistics. The National Labour Force and Child Activities Survey 2011/12. Kampala, July 2013. http://www.ubos.org/onlinefiles/uploads/ubos/pdf_documents/NCLS_Report_2011_12.pdf.
- 17 U.S. Embassy- Kampala. Reporting. January 11, 2019.
- 18 Uganda Child Helpline official. Email communication to USDOL official. April 26, 2019.
- 19 Yolisigira, Yazid. Mayuge pupils prefer fishing to studying. The Daily Monitor. August 25, 2016. <http://www.monitor.co.ug/News/National/Mayuge-pupils-prefer-fishing-to-studying/688334-3357722-format-xhtml-1oexo8z/index.html>.
- 20 Avocats Sans Frontières. Human Rights Implications of Extractive Industry Activities in Uganda. Kampala. 2014. http://www.asf.be/wp-content/uploads/2014/09/ASF_UG_ExtractiveSectorHRImplications.pdf.
- 21 Kisambe, Samuel. Uganda children abandoning school to work in gold mines. CGTN, October 22, 2015. <https://africa.cgtn.com/uganda-children-abandoning-school-to-work-in-gold-mines/>.
- 22 Fisher, Alexandra. The child workers risking life and limb for a dollar a day. Lateline, April 14, 2015. Source on file.
- 23 Houdet, J, et al. Cost Benefit Analysis of the Mining Sector in Karamoja, Uganda. Kampala, Uganda, IUCN Uganda Country Office, 2014. Source on file.
- 24 Human Rights Watch. "How Can We Survive Here?" The Impact of Mining on Human Rights in Karamoja, Uganda. February 2014. https://www.hrw.org/sites/default/files/reports/uganda0214_ForUpload.pdf.
- 25 Akumu, Patience, and Annie Kelly. Silence far from golden for child labourers in the mines of Uganda. The Guardian. May 20, 2016. <https://www.theguardian.com/global-development/2016/may/20/child-labour-uganda-gold-mines-silence-far-from-golden>.
- 26 UCW. Understanding Children's Work and Youth Employment Outcomes in Uganda. Inter-Agency Report. Rome, June 2014. http://www.ucw-project.org/attachment/Uganda_report_child_labor_youth_employment20141016_154929.pdf.
- 27 Kasozi, Ephraim. Teen Casual Labourers Get New Lease on Life. The Monitor. November 8, 2016. <http://allafrica.com/stories/201611080019.html>.
- 28 Bank Information Center. The Impact of the World Bank Funded Kamwenge-Kabarole Road Construction Project on Children. 2015. <http://www.bankinformationcenter.org/wp-content/uploads/2015/04/Kamwenge-Road-Final.pdf>.
- 29 UN Committee on the Rights of Persons with Disabilities. Consideration of Reports Submitted by States Parties Under Article 35 of the Convention: Concluding Observations: Uganda. May 12, 2016. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/UGA/CO/1&Lang=En.
- 30 U.S. Department of State. Country Reports on Human Rights Practices - 2016: Uganda. Washington, DC. March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/uganda/>.
- 31 New Vision. Begging: The ugly face of human trafficking in Kampala. March 13, 2015. https://www.newvision.co.ug/new_vision/news/1322309/begging-ugly-human-trafficking-kampala.
- 32 U.S. Embassy- Kampala. Reporting. January 15, 2015.
- 33 U.S. Embassy- Kampala. Reporting. January 16, 2018.
- 34 Agiresaasi, Apophia. Drought-stricken Rural Area of Uganda Provides Pipeline of Children for Traffickers to Exploit. Bignewsnetwork. November 9, 2015. <http://www.bignewsnetwork.com/news/238389499/drought-stricken-rural-area-of-uganda-provides-pipeline-of-children-for-traffickers-to-exploit>.
- 35 Kakande, Yasin. Anti-child trafficking campaign in Uganda taken to schools. Reuters, February 12, 2016. <http://www.reuters.com/article/us-uganda-trafficking-children-idUSKCN0VM01F>.
- 36 U.S. Embassy- Kampala. Reporting. January 17, 2017.
- 37 Uganda Bureau of Statistics. National Labour Force Survey 2016/2017. Kampala. June 2018. https://www.ubos.org/wp-content/uploads/publications/I0_2018Report_national_labour_force_survey_2016_17.pdf.
- 38 Mafabi, David. Child trafficking is big business in Karamoja. PML Daily. September 29, 2018. <http://www.pmldaily.com/features/2018/09/child-trafficking-is-big-business-in-karamoja.html>.

MODERATE ADVANCEMENT

- 39 Director of Dwelling Places. Interview with USDOL official. December 13, 2018.
- 40 U.S. Embassy- Kampala. Reporting. February 22, 2019.
- 41 Government of Uganda. The Education (Pre-Primary, Primary and Post-Primary) Act, 2008. Act 13. Enacted: August 29, 2008. <http://www.ulii.org/ug/legislation/act/2015/13-0>.
- 42 Mpyangu, Christine Mbazab, et al. Out of School Children Study in Uganda. March 2014. https://www.unicef.org/uganda/OUT_OF_SCHOOL_CHILDREN_STUDY_REPORT_FINAL_REPORT_2014.pdf.
- 43 Mwesigwa, Alon. Uganda's success in universal primary education falling apart. *The Guardian*, April 23, 2015. <http://www.theguardian.com/global-development/2015/apr/23/uganda-success-universal-primary-education-falling-apart-upe>.
- 44 Child Protection Manager Uganda Women's Effort to Save Orphans. Interview with USDOL official. December 12, 2018.
- 45 UNHCR. Uganda Monthly Update: Protection - Education. October 2018 <https://data2.unhcr.org/en/documents/download/67166>.
- 46 UNHCR. Uganda Monthly Update: Protection - Education. August 2018. <https://reliefweb.int/sites/reliefweb.int/files/resources/66181.pdf>.
- 47 van Blerk, Lorraine. Youth Transitions in Protracted Crises Synthesis Report. University of Dundee. October 2017. <https://youthtransitions.com.files.wordpress.com/2017/11/synthesis-report.pdf>.
- 48 UNHCR. Uganda Refugee Response Monitoring, Settlement Fact Sheet: Nakivale. June 2018. <https://reliefweb.int/sites/reliefweb.int/files/resources/66773.pdf>.
- 49 Government of Uganda. The Children (Amendment) Act, 2016. Enacted: May 20, 2016. http://www.mglsd.go.ug/laws/The_Children_Amendment_Act_2016.pdf.
- 50 Government of Uganda. The Employment Act. Enacted: June 8, 2006. <http://www.ilo.org/dyn/natlex/docs/SERIAL/74416/76582/F1768664138/UGA74416.pdf>.
- 51 Government of Uganda. The Employment (Employment of Children) Regulations. Enacted: April 20, 2012. Source on file.
- 52 Government of Uganda. The Prevention of Trafficking in Persons Act, 2009. Enacted: October 23, 2009. Source on file.
- 53 Government of Uganda. Penal Code of Uganda. Enacted: 1950. <https://ulii.org/node/23999>.
- 54 Government of Uganda. The Anti-Pornography Act. Enacted: February 6, 2014. Source on file.
- 55 Government of Uganda. The Uganda Peoples' Defence Forces Act, 2005. Enacted: September 2, 2005. http://www.ulrc.go.ug/system/files_force/ulrc_resources/u.p.d.f-act-2005.pdf?download=1.
- 56 Ministry of Gender, Labor and Social Development official. Interview with USDOL official. December 12, 2018. Source on file.
- 57 Uganda Child Helpline official. Phone interview with USDOL official. March 28, 2019.
- 58 U.S. Embassy- Kampala. Reporting. February 20, 2014.
- 59 U.S. Embassy- Kampala. Reporting. February 12, 2018.
- 60 U.S. Embassy- Kampala official. Email communication to USDOL official. March 1, 2017.
- 61 U.S. Embassy- Kampala official. Email communication to USDOL official. February 1, 2018.
- 62 ILO CEACR. Observation 81. 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::PI3100_COMMENT_ID:3791190.
- 63 ILO. Labour Inspection Structure and Organization. Accessed February 25, 2019. https://www.ilo.org/labadmin/info/WCMS_209370/lang--en/index.htm.
- 64 U.S. Embassy- Kampala official. Email communication to USDOL official. March 19, 2019.
- 65 CIA. The World Factbook. Accessed March 26, 2019. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 66 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 67 ILO. Strategies and Practice for Labour Inspection. Geneva, Committee on Employment and Social Policy. November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 68 U.S. Embassy- Kampala official. Email communication to USDOL official. February 26, 2019.
- 69 Government of Uganda. JAN - DEC 2017 REPORT ON TRAFFICKING IN PERSONS IN UGANDA. 2017. Source on file.
- 70 Masinde, Andrew. Law enforcement officers trained on combating human trafficking. April 17, 2017. https://www.newvision.co.ug/new_vision/news/1451230/law-enforcement-officers-trained-combating-human-trafficking.
- 71 Government of Uganda. Performance Report on Countering Trafficking in Persons in Uganda. 2018. Source on file.
- 72 U.S. Embassy- Kampala official. Email communication with USDOL official. July 11, 2019.
- 73 U.S. Department of State. Trafficking in Persons Report - 2019: Uganda. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/uganda/>.
- 74 U.S. Embassy- Kampala official. Email communication to USDOL official. May 23, 2018.
- 75 U.S. Embassy- Kampala. Reporting. January 16, 2014.
- 76 U.S. Embassy- Kampala. Reporting. February 17, 2015.
- 77 Ministry of Education and Sports. National Strategy for Girls' Education (NSGE) in Uganda (2015 – 2019) October 2013. http://www.ungei.org/resources/files/Resource_Uganda_NSGE.pdf.
- 78 ILO-IPEC Geneva official. Email communication to USDOL official. February 10, 2018.
- 79 Government of Uganda. National Action Plan for the Elimination of Child Labor 2017/2018 - 2021/2022. Kampala. August 2017. Source on file.
- 80 Ministry of Gender, Labor, and Social Development. National Action Plan on Elimination of Worst Forms of Child Labour in Uganda 2012/13-2016/17. Kampala, May 2012. http://www.unicef.org/uganda/NAP_Uganda_June_2012.pdf.
- 81 Government of Uganda, Ministry of Gender, Labour and Social Development. The National Social Protection Policy. Kampala. November 2015. <http://socialprotection.go.ug/wp-content/uploads/2016/07/National-Social-Protection-Policy-uganda.pdf>.
- 82 Government of Uganda. National Multi-Sectoral Coordination Framework for Adolescent Girls 2017/2018-2021/2022. November 2018. https://www.unicef.org/uganda/Uganda_AG_FRAMEWORK_-_LORES_10102018.pdf.
- 83 UN. Development Assistance Framework for Uganda 2016-2020. Kampala, 2015. http://www.ug.undp.org/content/dam/uganda/docs/Uganda_UNDAF_2016-2020.pdf.
- 84 Government of Uganda. Second National Development Plan (NDP II) 2015/16 - 2019/20. June 2015. <http://npa.ug/wp-content/uploads/NDPII-Final.pdf>.
- 85 ILO official. Email communication to USDOL official. March 25, 2019.

- 86 ILO-IPEC. Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor. Technical Progress Report. April 2014. Source on file.
- 87 USDOL. African Youth Empowerment and Development Initiative (AYEDI). Technical Cooperation Project Summary. Washington, DC., February 2014. Source on file.
- 88 ECLT Foundation. 2018 ECLT Annual Report. 2018.
https://eclt.org/user/pages/downloads/ECLT_AnnualReport-2018.pdf.
- 89 Uganda Child Helpline official. Interview with USDOL official. July 1, 2019.
- 90 Asiimwe, Bridget. Government resumes forceful repatriation of street children. IntelPost. June 2, 2018.
<https://intelpostug.com/2018/06/04/government-resumes-forceful-repatriation-of-street-children/>.
- 91 Uganda Youth Development Link (UYDEL). Uganda Youth Development Link (UYDEL) - Profile. Accessed May 25, 2017.
<http://www.uydel.org/about.php?category=2>.
- 92 Ministry of Education and Sports. Skilling Uganda: BTJET Strategic Plan 2011-2020. Kampala, July 2011.
<http://fenu.or.ug/wp-content/uploads/2013/02/Skilling-Uganda-BTJET-Strategic-Plan-final-version.pdf>.
- 93 World Education. Better Outcomes for Children and Youth in Eastern and Northern Uganda.
<https://www.worlded.org/WEInternet/international/project/display.cfm?ctid=na&cid=na&tid=40&id=20581>.

In 2018, Ukraine made a moderate advancement in efforts to eliminate the worst forms of child labor. Ukraine officially ended the moratorium on labor inspections in February 2018. In addition, Ukraine doubled the number of labor inspectors, trained new inspectors, and established an Inter-Ministerial Counter-Trafficking Coordination Council. However, children in Ukraine engage in the worst forms of child labor, including in the production of pornography. Children also perform dangerous tasks in mining. National policies related to child labor continue to lack sufficient funding for adequate implementation. Furthermore, Russian aggression in the east of the country continued, which negatively impacted the government’s ability to address the worst forms of child labor by limiting the budget available for social services and other domestic policy priorities, and increased the vulnerability to exploitation of children living in Russian-controlled geographical areas.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ukraine engage in the worst forms of child labor in the production of pornography. Children also perform dangerous tasks in mining. (I-4) Table I provides key indicators on children’s work and education in Ukraine.

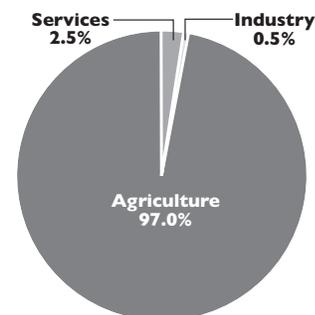
Table I. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	9.7 (385,204)
Attending School (%)	5 to 14	97.2
Combining Work and School (%)	7 to 14	12.0
Primary Completion Rate (%)		103.4

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2019. (5)

Source for all other data: International Labor Organization’s analysis of statistics from National Child Labour Survey, 2015. (6)

Figure I. Working Children by Sector, Ages 5-14



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	Farming, activities unknown (1-4,7)
Industry	Construction, activities unknown (3,8,9) Mining,† including loading, transporting, and sorting coal, and extracting amber (2,7,10,11)
Services	Street work, including distributing advertising leaflets, sales activities in kiosks, washing cars, and begging (1-4,9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,12,13) Use in the production of pornography (1,7) Recruitment of children by non-state armed groups for use in armed conflict (14,15) Forced begging, sometimes as a result of human trafficking (7,8-18)

† 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.

In 2018, the conflict with Russian-led forces in the east of the country continued. The government’s continued policy focus on national security, as well as budget cuts associated with the conflict, negatively affected its

Ukraine

MODERATE ADVANCEMENT

ability to address the worst forms of child labor. (4,7) Russian aggression in eastern Ukraine has created more than 1.8 million IDPs, including more than 190,000 children. (19,20) The inability of many IDP families to access adequate shelter and available social benefits puts children at increased risk of exploitation in the worst forms of child labor. (21) In particular, the Ministry of Social Policy (MSP) noted an increased vulnerability to both domestic and international human trafficking among the IDP community. (12) There have been reports of kidnapping of girls from conflict-affected areas for commercial sexual exploitation and labor exploitation. (8,18,22) Displaced individuals from the Roma community, an estimated 10 percent of whom lack identity documentation, have experienced difficulty registering as IDPs. This prevents Roma IDPs from accessing assistance and puts Roma children at even greater risk of exploitation. (23-26) An estimated 10,000 Roma people have been displaced by the conflict. (27)

Children from Ukraine are trafficked both internationally and domestically for commercial sexual exploitation and forced begging. (16,18) Children with disabilities and homeless, orphaned, and poor children, especially those living in state-run institutions, are at high risk of being trafficked and targeted by recruiters for child pornography. (1,16,17,28,29) Ukraine is a destination and transit country for refugees from Afghanistan, Somalia, and Syria. Refugees lack access to state-run children's shelters, have no formal means of acquiring food and other assistance from the government, and experience heightened vulnerability to child trafficking. (29)

During the reporting period, children continued to take part in armed combat as part of the Russia-led forces in the areas of Donetsk and Luhansk. (4) Recruitment of children by militant groups took place primarily in Russian-controlled territory and areas where the government was unable to enforce national prohibitions against the use of children in armed conflict. (4,7)

Although Ukraine's Constitution and Law on General Secondary Education guarantee free universal education, due to discrimination by school administrators, Roma children have been denied access to education, placed in segregated schools exclusively for Roma children, or erroneously placed in special education schools. (26,30,31) A source reported that the municipal governments in Ukraine were ineffective in compelling school administrators to enroll Roma children who were unfairly denied access to school. (23)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Ukraine 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's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 188 of the Labor Code; Article 150 of the Criminal Code; and Article 21 of the Law on the Protection of Childhood (32-34)
Minimum Age for Hazardous Work	Yes	18	Article 190 of the Labor Code; Article 21 of the Law on the Protection of Childhood (33,34)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Order of the Ministry of Health No. 46 on the approval of the list of heavy work and work with dangerous and harmful working conditions, in which the employment of minors is prohibited; Article 150-1 of the Criminal Code (32,35)
Prohibition of Forced Labor	Yes		Article 43 of the Constitution of Ukraine; Article 1 of the Law on Employment; and Articles 149, 172, and 173 of the Criminal Code (32,36,37)
Prohibition of Child Trafficking	Yes		Article 149 of the Criminal Code; Article 32 of the Law on the Protection of Childhood (32,34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 301–303 of the Criminal Code; Articles 10 and 21 of the Law on the Protection of Childhood; the Law on Amendments to Certain Legislative Acts of Ukraine on Combating the Distribution of Child Pornography; and Articles 1, 6, and 7 of the Law on the Protection of Public Morality (32,34,38,39)
Prohibition of Using Children in Illicit Activities	Yes		Articles 304 and 307 of the Criminal Code; Articles 10 and 21 of the Law on the Protection of Childhood (32,34)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Articles 15 and 20 of the Law on Military Duty and Military Service (40)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 15 of the Law on Military Duty and Military Service; Decree No. 447 on Measures to Improve the Defense Capabilities of the State (40,41)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 30 of the Law on the Protection of Childhood (34)
Compulsory Education Age	Yes	17‡	Articles 12 and 20 of the Law on General Secondary Education (42)
Free Public Education	Yes		Article 53 of the Constitution of Ukraine; Article 2 of the Law on General Secondary Education (36,42)

‡ Age calculated based on available information (42)

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. (32-34,42) Furthermore, the Order of the Ministry of Health Number 46 permits children to engage in hazardous work at age 14 as part of a vocational training program for four hours a day, with safety standards in place, which is not in compliance with international standards. (9,47)

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 State Labor Service that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Labor Service (SLS) within the Ministry of Social Policy (MSP)	Enforces labor laws, including laws on child labor, by conducting inspections. (48)
Department on Adoption and Children's Rights Protection within the MSP	Identifies children involved in the worst forms of child labor, most of whom are in the informal sector. (9)
National Police	Enforces criminal laws against the worst forms of child labor, including child trafficking. (48)
State Migration Service	Assists refugees and migrants in need in the country, including victims of human trafficking. (9)
State Border Guards Services	Protects the country's borders and identify cases of human trafficking. (49)

Ukraine

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Office of the Ombudsman for Children's Rights	Monitors protection of the rights of children and fulfillment of international obligations to protect children's rights, including by preventing child labor. Coordinates the development of laws on child protection. (50) Informs the public of children's rights. (50)
National Referral Mechanism (NRM)	Identifies victims of human trafficking, including children, and refers victims to appropriate government agencies for assistance and services. Led by the MSP. (8)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Ukraine took actions to combat child labor (Table 6). However, gaps exist within the operations of the State Labor Service (SLS) that may hinder adequate labor law enforcement, including the collection of penalties imposed.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$15 million (7)	\$21 million (4)
Number of Labor Inspectors	648 (7)	1,257 (4)
Inspectorate Authorized to Assess Penalties	Yes (7)	Yes (4)
Initial Training for New Labor Inspectors	Yes (7)	Yes (4)
Training on New Laws Related to Child Labor	Yes (7)	Yes (4)
Refresher Courses Provided	Unknown	Yes (4)
Number of Labor Inspections Conducted	2,726 (7)	15,890 (4)
Number Conducted at Worksite	2,726 (7)	15,514 (4)
Number of Child Labor Violations Found	99 (7)	142 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	102 (7)	140 (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	8 (4)
Routine Inspections Conducted	Yes (7)	Yes (4)
Routine Inspections Targeted	Yes (7)	Yes (4)
Unannounced Inspections Permitted	No (51)	Yes (4)
Unannounced Inspections Conducted	No (7)	Yes (4)
Complaint Mechanism Exists	Yes (7)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (4)

Under Decree of the Cabinet of Minister No. 1104, the moratorium on inspections that had been in place since 2014 was removed in February 2018 for the SLS, among several other bodies, enabling labor inspections to begin again inspecting for child labor violations. The moratorium, however, remained in place for criminal law enforcement agencies, except when credible information of trafficking in persons existed. (12,46)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Ukraine 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 judges.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (17)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Yes (4)
Refresher Courses Provided	Yes (17)	Yes (4)
Number of Investigations	116 (7)	Unknown (4)
Number of Violations Found	4 (17)	210 (4)
Number of Prosecutions Initiated	3 (7)	276 (4)
Number of Convictions	Unknown (7)	Unknown (4)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (4)

Concerns have been raised that the existing curriculum for judicial training on human trafficking does not provide sufficient information about child trafficking victims who may have been forced to commit crimes while being trafficked. (9)

Children who were discovered to be in dangerous situations during the course of criminal investigations were referred to the MSP Shelters and Centers for Socio-Psychological Rehabilitation of Children. (17)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Description
Inter-Ministerial Counter-Trafficking Coordination Council*	Serves as national coordinator on anti-human trafficking issues. Led by MSP, it met in 2018 and held discussions on countering trafficking for labor exploitation and human trafficking awareness raising within educational institutions. (12)
Interagency Council on Family, Gender Equality, Demographic Development, Prevention of Violence in the Family, and Counter-Trafficking Issues	Coordinates efforts to address the worst forms of child labor, including the trafficking of children. Chaired by MSP, comprises representatives from the Ministries of Justice, Education, Security, Health, and Foreign Affairs, and from international and local NGOs. (9,54) Based on available information, this Council was active during the reporting period. (26)
Interagency Working Group to Protect the Rights of Civilians, Including Women and Children, During the Anti-Terrorist Operation in the Eastern Regions of Ukraine	Protects IDPs and other civilians from the negative consequences of the ongoing military operations in Ukraine, including the increased rates of domestic and international human trafficking. Established by MSP, members include representatives from the Secretariat of the <i>Verkhovna Rada</i> Commissioner for Human Rights, the Authorized Representative of the President of Ukraine for Children's Rights, and other government agencies and NGOs. (21) Based on available information, this Working Group was active during the reporting period. (26)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In October 2018, the Resolution of the Cabinet of Ministers No. 800 entered into force, establishing a framework for stronger cooperation between the central government, local bodies, and institutions to provide social protection to children subjected to cruel treatment in any form of slavery, human trafficking, forced or compulsory labor, recruitment for use in armed conflicts, prostitution, movie production, and pornography and/or other activities of pornographic nature. (4)

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 coverage of the worst forms of child labor other than child trafficking.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan Countering Human Trafficking (2016–2020)	Guides the work of the National Coordinator on Countering Human Trafficking through specific actions and timetables for preventing, protecting and prosecuting human trafficking crimes. (12, 18) In 2018, MSP trained local social service departments on their responsibilities under this National Action Plan. Implementation focused on state child advocacy and labor officials as key actors to identify victims of trafficking. (12)
National Action Plan for Implementation of UN CRC (2017–2021)	Identifies priorities in the area of child protection, including improving measures to address the worst forms of child labor and increasing coordination between government agencies and NGOs. (2,4,55,56) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

Although the Government of Ukraine has adopted a National Action Plan Countering Human Trafficking and a National Action Plan for Implementation of UN CRC, research found no evidence of a policy on other worst forms of child labor.

Ukraine

MODERATE ADVANCEMENT

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that may contribute to 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, especially the worst forms of child labor.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Shelters and Centers for Socio-Psychological Rehabilitation of Children†	MSP-operated program to provide protection in 8 short-term shelters and 72 long-term rehabilitation centers for children in need, including street children. Short-term shelters provide accommodation for up to 90 days, and rehabilitation centers offer accommodation for up to 12 months. (8,18,9,21,28) Provide regular social, medical, psychological, and other types of services for non-residents. (8,18) The shelters continued to provide services in 2018. (12) Although MSP provides services for children in shelters and socio-psychological rehabilitation centers, the current availability of shelters and trained personnel is insufficient to fully address the extent of the child labor problem. (13)
Centers for Social Services for Family, Youth, and Children†	Government-run program to provide services for victims of human trafficking and other populations in need. (18,9) These centers were active and provided services during the reporting period. (26)
Multiplication of the Anti-Trafficking National Referral Mechanism in Ukraine†	Joint program by MSP and OSCE to train officials in several regions of Ukraine to identify and provide services to human trafficking victims. Involves collaborative work among local agencies and non-governmental partners. (28) In 2018, the government in cooperation with IOM trained 26 Ukrainian diplomats to help ensure that diplomats are not engaged in or facilitating human trafficking. The diplomats were also trained on victim identification as well as transnational and national referral mechanisms with all related expenses fully covered through the state budget. (12)
Countering Trafficking in Persons Project (2004–2018)	USAID-funded project implemented by IOM; aims to reduce human trafficking by building the capacity of Ukrainian institutions to address the problem by strengthening the national referral mechanism and increasing government funding for counter-trafficking efforts. (58) In 2018, the project was extended through January 1, 2023, and created an online counter-trafficking course. (26,59,60)

† Program is funded by the Government of Ukraine.

Ukraine has a variety of service providers for victims of human trafficking; however, the MSP must confer the official status of “victim of trafficking” on child trafficking victims to allow them access to available government services. (8,18,28) Research found that delays in this practice often result from insufficient documentation of the crime to the MSP by local administrations. (8,18,28)

The Centers for Social Services for Family, Youth, and Children have historically experienced a large turnover of staff due to an excessive workload and low pay. (13) In addition, the centers remain understaffed after budget cuts enacted in 2014 resulted in the layoff of 12,000 social workers. (61) Likewise, high turnover in the regions where local agencies are responsible for identifying human trafficking victims under the National Referral Mechanism (NRM) has hampered service provision to victims. (28)

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 Ukraine (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018
	Prohibit all children under age 16 from working in hazardous occupations during vocational training.	2011 – 2018
Enforcement	Ensure that judges are sufficiently trained on human trafficking, particularly where child trafficking victims have been forced to commit crimes while being trafficked.	2013 – 2018
	Track and publish data on the number of investigation, convictions, and penalties imposed for criminal violations of child labor laws.	2014 – 2018
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as a National Action Plan on Child Labor.	2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Social Programs	Develop programs to facilitate access to education for Roma children and ensure that municipal governments hold schools accountable for discrimination against Roma children.	2010 – 2018
	Ensure that all children who are victims of human trafficking are able to access government services available for victims including by assisting victims in obtaining necessary identity documentation.	2013 – 2018
	Ensure there are sufficient resources for Centers for Social Services for Family, Youth, and Children for child victims of human trafficking.	2013 – 2018

REFERENCES

- Disability Rights International. No Way Home: The Exploitation and Abuse of Children in Ukraine's Orphanages. 2015. <http://www.driadvocacy.org/wp-content/uploads/No-Way-Home-final2.pdf>.
- U.S. Embassy- Kyiv. Reporting. January 17, 2017.
- ILO, Ukrainian Centre for Social Reforms, and State Statistics Service of Ukraine. Ukraine National Child Labour Survey. 2017. http://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_29935/lang-en/index.htm.
- U.S. Embassy- Kyiv. Reporting. February 1, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed: March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4, 2012, Analysis received March 13, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Kyiv. Reporting. January 25, 2018.
- U.S. Embassy- Kyiv. Reporting. February 24, 2015.
- U.S. Embassy- Kyiv. Reporting. January 17, 2014.
- Balkiz, Ghazi. Inside Ukraine's Illegal Mines. NBC News, May 3, 2014. <http://www.nbcnews.com/storyline/ukraine-crisis/inside-ukraines-illegal-mines-n95786>.
- Wendle, John. The Dramatic Impact of Illegal Amber Mining in Ukraine's Wild West. National Geographic, January 31, 2017. <http://news.nationalgeographic.com/2017/01/illegal-amber-mining-ukraine/>.
- U.S. Embassy- Kyiv. TIP Reporting. February 21, 2019.
- U.S. Department of State. Trafficking in Persons Report - Ukraine. June 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/ukraine/>.
- Karmanau, Yuras. Training kids to kill at Ukrainian Nationalist Camp. Associated Press. November 28, 2018. <https://www.apnews.com/94fe1c68205a43ca96fcc89c88a7cc9f>
- Butet-Roch, Laurence. Ukrainian children train for combat. National Geographic. March 13, 2019. <https://www.nationalgeographic.com/culture/2019/03/ukrainian-children-train-for-violent-future/>.
- U.S. Department of State. Trafficking in Persons Report- 2016: Ukraine. Washington, DC, June 30, 2016. <https://www.state.gov/j/tip/rls/tiprpt/countries/2016/258885.htm>.
- U.S. Embassy- Kyiv. Reporting. February 15, 2018.
- U.S. Embassy- Kyiv. Reporting. March 3, 2016.
- Information and Communication Department of the Secretariat of the CMU. Volodymyr Groysman at a meeting with UN High Commissioner for Refugees: Our strategic objective is to restore territorial integrity and to bring people back to peaceful life. November 21, 2016. http://www.kmu.gov.ua/control/en/publish/article?art_id=249512868.
- UNHCR. UNHCR Ukraine Operational Update (December 2018). Geneva. December 2018. <https://www.refworld.org/docid/5c7cdd237.html>.
- Group of Experts on Action Against Trafficking in Persons. GRETA Report concerning the implementation of the Council of Europe convention on Action against Trafficking in Human Beings by Ukraine. Strasbourg, Secretariat of the Council of Europe Convention on Action against Trafficking in Human Beings, September 19, 2014. http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA_2014_20_FGR_UKR_w_cmnts_en.pdf.
- U.S. Embassy- Kyiv. Reporting. February 27, 2017.
- U.S. Embassy- Kyiv. Reporting. February 16, 2017.
- Turner, Wesli. IDP registration in Ukraine: Who's in? Who's out? And who's counting? International Displacement Monitoring Centre. March 19, 2015. <http://www.internal-displacement.org/blog/2015/idp-registration-in-ukraine-whos-in-whos-out-and-whos-counting>.
- Walicki, Nadine and Vsevolod Kritskiu. Time to act: Internal displacement on the rise in Ukraine. International Displacement Monitoring Centre. October 22, 2014. <http://www.internal-displacement.org/europe-the-caucasus-and-central-asia/ukraine/2014/time-to-act-internal-displacement-on-the-rise-in-ukraine>.
- U.S. Embassy- Kyiv official. Email communication to USDOL official. July 19, 2019.
- WHO Europe. WHO and partners increase focus on Roma population in Ukraine. April 23, 2015. <http://www.euro.who.int/en/health-topics/health-determinants/roma-health/news/news/2015/04/who-and-partners-increase-focus-on-roma-population-in-ukraine>.
- U.S. Embassy- Kyiv. Reporting. March 12, 2014.
- U.S. Department of State. Country Reports on Human Rights Practices- 2015: Ukraine. Washington, DC, April 13, 2016. <https://www.state.gov/documents/organization/253123.pdf>
- UN Committee on Economic, Social and Cultural Rights. Concluding observations on the sixth periodic report of Ukraine. Geneva, May 23, 2014. <http://health-rights.org/index.php/cop/item/concluding-observations-on-the-sixth-periodic-report-of-ukraine>.
- OSCE. Office for Democratic Institutions and Human Rights. Situation Assessment Report on Roma in Ukraine and the Impact of the Current Crisis. August 2014. <https://www.osce.org/odihr/124494?download=true>.
- Government of Ukraine. Criminal Code of Ukraine. Enacted: 2001. <http://www.legislationline.org/documents/section/criminal-codes>.
- Government of Ukraine. Labor Code of Ukraine. Enacted: December 10, 1971. <http://www.wipo.int/wipolex/en/details.jsp?id=6186>.

MODERATE ADVANCEMENT

- 34 Government of Ukraine. Law of Ukraine on the Protection of Childhood. Enacted: April 26, 2001.
<http://zakon4.rada.gov.ua/laws/show/2402-14/print> I 415035498920514.
- 35 Government of Ukraine. Approval of the list of heavy work and work with dangerous and harmful working conditions, in which the employment of minors is prohibited, 46. Enacted: March 31, 1994.
<http://zakon2.rada.gov.ua/laws/show/z0176-94>.
- 36 Government of Ukraine. Constitution of Ukraine. Enacted: June 28, 1996.
<http://www.president.gov.ua/en/content/constitution.html>.
- 37 Government of Ukraine. Law of Ukraine on Employment, No. 803-XII. Enacted: March 1, 1991.
<http://www.brama.com/law/business1/empllaw.txt>.
- 38 Government of Ukraine. Law of Ukraine on the Protection of the Public Morality. Enacted: November 20, 2003.
<http://zakon4.rada.gov.ua/laws/show/1296-15/print> I 415035498920514.
- 39 Government of Ukraine. Law of Ukraine on Amendments to Certain Legislative Acts of Ukraine on Combating the Distribution of Child Pornography, No. 105. Enacted: January 20, 2010.
<http://zakon4.rada.gov.ua/laws/show/1819-17/print> I 415035498920514.
- 40 Government of Ukraine. Law of Ukraine on Military Duty and Military Service. Enacted: March 25, 1992.
<http://zakon4.rada.gov.ua/laws/show/2232-12/print> I 415035498920514.
- 41 Government of Ukraine. Decree on Measures to Enhance the Defense Capacity of the State, No. 447. Enacted: May 1, 2014.
<http://zakon4.rada.gov.ua/laws/show/447/2014/print> I 415035498920514.
- 42 Government of Ukraine. Law of Ukraine on General Secondary Education, No. 651-XIV. Enacted: May 13, 1999.
<http://osvita.ua/legislation/law/2232/print/>.
- 43 Government of Ukraine. On approval of the list of bodies of state supervision (control), which are not covered by the Law of Ukraine “On Temporary Peculiarities of Implementation of State Supervision (Control) Activities in the Sphere of Economic Activity.” Enacted: December 18, 2017.
<https://www.kmu.gov.ua/ua/npas/pro-zatverdzhennya-pereliku-organiv-derzhavnogo-naglyadu-kontrolyu-na-yaki-ne-poshiryuyetsya-diya-zakonu-ukrayini-pro-timchasovi-osoblivosti-zdijsnennya-zahodiv-derzhavnogo-naglyadu-kontrolyu-u-sferi-gospodarskoyi-diyalnosti>.
- 44 Government of Ukraine. On Temporary Peculiarities of Implementation of State Supervision (Control) Measures in the Sphere of Economic Activity. Enacted: November 3, 2016.
<https://zakon2.rada.gov.ua/laws/show/1728-19?>
- 45 Government of Ukraine. List of bodies of state supervision (control), which are not covered by the effects of the Law of Ukraine “ On Temporary Peculiarities of Implementation of State Supervision (Control) Measures in the Sphere of Economic Activity.” Enacted: December 18, 2017
<https://www.kmu.gov.ua/storage/app/uploads/public/5a8/dd6/638/5a8dd6638a16c421680570.doc>.
- 46 U.S. Department of State. Trafficking in Person Report-2019: Ukraine. Washington, DC. June 20, 2019.
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/ukraine/>.
- 47 ILO Committee of Experts. Observation concerning Minimum Age Convention, 1973 (No. 138) Ukraine (Ratification: 1979) Published: 2014. Accessed: October 24, 2014.
<http://www.ilo.org/dyn/normlex/en>.
- 48 U.S. Embassy- Kyiv. Reporting. February 1, 2016.
- 49 U.S. Embassy- Kyiv official. Email communication to USDOL official. May 13, 2014.
- 50 Government of Ukraine. Decree on Regulations on the Ombudsman for Children under the President of Ukraine, No. 811. Enacted: August 11, 2011.
http://www.president.gov.ua/en/content/up_pr_dyt.html?PrintVersion.
- 51 Government of Ukraine. Cabinet of Ministers Resolution No. 295. Enacted: April 26, 2017.
<https://www.kmu.gov.ua/ua/npas/249951759>.
- 52 ILO CEACR. Individual Observation concerning Labor Inspection Convention, 1947 (No. 81) Ukraine (ratification: 2004). Published: 2019.
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3965231.
- 53 U.S. Embassy- Kyiv. Reporting. January 14, 2015.
- 54 Government of Ukraine. Resolution on the Interagency Council on Family, Gender Equality, Economic Development, Domestic Violence Prevention, and Combating Human Trafficking, No. 1087. Enacted: September 5, 2007.
<http://zakon0.rada.gov.ua/laws/show/1087-2007-rr>.
- 55 Government of Ukraine. On Approval of the Concept of the State Program “National Action Plan to Implement the Convention on the Rights of the Child Through 2021”. Enacted: April 5, 2017.
<http://www.kmu.gov.ua/control/ru/cardnpd?docid=249890555>.
- 56 U.S. Embassy- Kyiv official. Email communication to USDOL official. May 22, 2017.
- 57 ILO-IPEC. Global Action Program on Child Labor Issues. Technical Progress Report, October 28, 2016: Technical Progress Report. Source on file.
- 58 USAID. Countering Trafficking in Persons (TIP) Project: International Organization for Migration (July 20, 2004 – January 1, 2018). Website, Accessed April 28, 2014. Source on file.
- 59 USAID. Countering Trafficking in Persons (TIP) Project: International Organization for Migration (July 20, 2004 - January 1, 2023). Website. Accessed August 1, 2019.
<http://www.usaid.gov/where-we-work/europe-and-eurasia/ukraine/democracy-human-rights-and-governance>.
- 60 International Organization for Migration. IOM Launches Online Counter-Trafficking Course in Ukraine. News release. November 20, 2018.
<https://www.iom.int/news/iom-launches-online-counter-trafficking-course-ukraine>
- 61 U.S. Embassy- Kyiv official. Email communication to USDOL official. February 20, 2015.

In 2018, Uzbekistan made moderate efforts to eliminate the worst forms of child labor. The government took active measures to prevent the use of forced child labor in the cotton harvest, including by issuing temporary regulations for labor conditions in organized cotton picking, reiterating the legal bans on using forced labor or child labor, raising the price paid to farmers for cotton and the wages paid to pickers, and sanctioning 169 officials for using forced labor. However, children in Uzbekistan still engage in the worst forms of child labor, including forced labor in scrap metal collection. Laws prohibiting the commercial sexual



exploitation of children do not meet international standards. The government also did not disaggregate criminal law enforcement data for forced labor cases to clarify which cases, if any, involved the worst forms of child labor. In addition, there are gaps in labor law enforcement, such as the decision by the government-sponsored Coordination Council on Child Labor and Forced Labor not to conduct its own harvest monitoring and an insufficient number of labor inspectors to cover the workforce adequately.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Uzbekistan engage in the worst forms of child labor, including forced labor in scrap metal collection. (1-4) ILO monitoring found only isolated cases of child labor in cotton production in 2018. (5) Uzbekistan has not carried out a national child labor survey to determine the prevalence of child labor in sectors other than cotton production. (6) Table 1 provides key indicators on children's work and education in Uzbekistan.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.3 (244,095)
Attending School (%)	5 to 14	84.1
Combining Work and School (%)	7 to 14	5.0
Primary Completion Rate (%)		97.7

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006. (8)

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	Cultivating silk cocoons (9,10)
Services	Street work, including vending, car washing, and begging (6,11,12) Collecting scrap metal (1,2,6,13,14)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (6,15,16) Forced labor in collecting scrap metal (1-4,13,14,17) Forced labor in cultivating silk cocoons (9,10,17,18) Forced labor in construction, non-cotton agriculture, and cleaning parks, streets, and buildings (17-19)

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

Traffickers exploit Uzbek children in sex trafficking transnationally, and also internally in brothels, clubs, and private residences. Children in institutions are vulnerable to sex trafficking. (18) During the reporting period, the government identified 14 children who had been victimized in sex trafficking. (6)

Uzbekistan

MODERATE ADVANCEMENT

Cotton production in Uzbekistan is governed by a quota system, which holds regional and local government officials responsible for mobilizing sufficient labor to meet established production targets. (20) In 2018, the quota system continued to impose pressure on regional and local government officials to meet production targets, and observers reported that this system is a root cause of forced labor, which may have created an ongoing risk of child labor. (21-23)

While forced child labor in cotton production was not reported in 2018, the ILO Third-Party Monitoring (TPM) project found 20 isolated cases of children under age 18 who worked with family members hired for the cotton weeding season, and the TPM identified children present with their parents in the fields during both the weeding and harvesting seasons, although they were not necessarily working. (5,24,25) Harvest observers generally agreed that, for the most part, teachers were not mobilized, although independent monitors and news outlets reported cases that emerged after the first pass of the harvest (cotton is collected up to three times or “passes” during each season) and were linked to institutional quotas. (5,18,26) Independent monitors also received a report that parents of children at one school were required to bring cotton to school to help meet the school’s quota; it is unknown whether the children picked the cotton themselves. (27) Although such practices do not establish a systemic child labor problem, they indicate continuing risks of child labor. (5)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Uzbekistan 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 Uzbekistan’s legal framework to adequately protect children from the worst forms of child labor, including commercial sexual exploitation and prohibition of military recruitment by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 77 of the Labor Code; Article 20 of the Law on the Guarantees of the Rights of the Child; Article 49-1 of the Administrative Code (28-31)
Minimum Age for Hazardous Work	Yes	18	Articles 241 and 245 of the Labor Code (30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Decree on Adoption of the List of Occupations with Unfavorable Working Conditions to Which It Is Forbidden to Employ Persons Under Eighteen Years of Age; Decree on Approval of Provision on Requirements on Prohibition of Use of Minors’ Labor (32,33)
Prohibition of Forced Labor	Yes		Article 37 of the Constitution; Article 7 of the Labor Code; Article 51 of the Administrative Code; Articles 135 and 138 of the Criminal Code (29-31,34,35)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Child Trafficking	Yes		Article 14 of the Law on Guarantees of the Rights of the Child; Article 135 of the Criminal Code (29,35)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 10 of the Law on Guarantees of the Rights of the Child; Articles 130 and 135 of the Criminal Code (29,35)
Prohibition of Using Children in Illicit Activities	Yes		Article 10 of the Law on Guarantees of the Rights of the Child; Articles 127, 270, 273, and 276 of the Criminal Code (29,35)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 24 of the Law on Universal Military Service (36)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 4 and 46 of the Law on Universal Military Service (36)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	18‡	Article 3 of the Law on Education (37)
Free Public Education	Yes		Article 4 of the Law on Education; Article 41 of the Constitution (34,37)

‡ Age calculated based on available information (37)

Although the Law on Guarantees of the Rights of the Child requires that the State protect children from involvement in prostitution, no law criminally prohibits the use of children in prostitution. (29,31,35) In addition, because the minimum age for work is lower than the age up to which education is compulsory, children may be encouraged to leave school before the completion of compulsory education in order to work. (28-31,37)

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 authority of the Ministry of Employment and Labor Relations (MOELR) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment and Labor Relations (MOELR)	Conducts labor inspections, including inspections for compliance with child labor laws. (6,11)
Ministry of Interior Office for Combating Trafficking	Investigates crimes related to child trafficking, which may then be prosecuted by the Prosecutor General's Office. (6)
Prosecutor General's Office	Prosecutes criminal violations involving the worst forms of child labor, including human trafficking, forced labor, and commercial sexual exploitation. (6)
Ministry of Public Education, Ministry of Higher and Secondary Special Education, and Center for Secondary and Vocational Education	Monitors elementary through secondary school students to prevent forced child labor, including in cotton production, and monitors employment of all graduates of all educational institutions for 2 years after graduation. (38,39)
Youth Union	Monitors school attendance to ensure that students do not miss class during the cotton harvest. (11)
Women's Committee of Uzbekistan	Monitors school attendance throughout the academic year, especially during the cotton harvest. (38)
Ministry of Employment and Labor Relations Human Trafficking Hotlines	Receive reports of incidents of human trafficking and refer reports to the relevant agencies. (40)
Feedback Mechanisms	Receive complaints on the violation of workers' rights and labor laws through two telephone hotlines: one MOELR hotline that refers cases to the labor inspectorate and the Prosecutor General's Office, and one Federation of Trade Unions hotline that focuses on mediation of individual worker's rights complaints. (11,41)

Uzbekistan

MODERATE ADVANCEMENT

Labor Law Enforcement

In 2018, labor law enforcement agencies in Uzbekistan took actions to combat child labor. (Table 6). However, gaps exist within the authority of the MOELR that may hinder adequate labor law enforcement, including limits on labor inspectors' ability to initiate unannounced inspections.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (42)	Unknown
Number of Labor Inspectors	168 (11)	200 (6)
Inspectorate Authorized to Assess Penalties	Yes (42)	Yes (6)
Initial Training for New Labor Inspectors	Yes (42)	Yes (6)
Training on New Laws Related to Child Labor	Yes (42)	Yes (6)
Refresher Courses Provided	Yes (42)	Yes (6)
Number of Labor Inspections Conducted	4,141 (42)	4,517 (24)
Number Conducted at Worksite	4,141 (42)	4,517 (24)
Number of Child Labor Violations Found	18 (11)	35 (24)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (42)	20 (24)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (42)	20 (24)
Routine Inspections Conducted	Yes (42)	Yes (6)
Routine Inspections Targeted	Yes (42)	Yes (6)
Unannounced Inspections Permitted	No (42)	Yes (43-45)
Unannounced Inspections Conducted	No (42)	Unknown
Complaint Mechanism Exists	Yes (42)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (42)	Yes (6)

In 2018, the number of labor inspectors at the MOELR increased from 168 to 200. (6) Despite this, the number of labor inspectors is likely insufficient for the size of Uzbekistan's workforce, which includes more than 17.8 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transitioning economies, Uzbekistan would employ about 890 inspectors. (46-48) Both national and regional labor inspectors received training from the ILO on child and forced labor during the reporting period. (49)

In 2018, the government took several regulatory measures to prohibit the use of child and forced labor in cotton production and some other sectors. For instance, the government issued a formal interpretation of Article 95 of the Labor Code, which allows an employer to temporarily reassign a worker to other duties, clarifying that an employer may not invoke this article to send employees to the cotton harvest. (5) In May 2018 during the spring planting and weeding season, the Cabinet of Ministers also adopted Decree 349 prohibiting public workers and students from being recruited for compulsory labor in seasonal agriculture, scrap metal and waste paper collection, and street beautification projects. (6,78) In addition, the government established fines for illegally recruiting students and public sectors workers for unpaid work, including work in the agricultural sector. (6) Prior to the harvest, the Cabinet of Ministers approved temporary regulations for organized cotton picking, including recruitment, payments, contracts, awareness raising on the rights and responsibilities of cotton pickers, and reiterating the legal bans on using forced labor and the labor of persons under age 18. (5) Moreover, President Mirziyoyev issued a decree to reinforce previous prohibitions on child and forced labor in the cotton harvest. (6)

Since January 2017, a Presidential Decree prohibiting unscheduled inspections of the private sector has been in effect. Despite this, unannounced inspections continued in the cotton sector during the past 2 years. In August 2018, another decree was issued to allow unscheduled labor inspections throughout the private sector, although it does not permit the MOELR to initiate an unannounced inspection absent a complaint. (24,43-45) In 2018, the government investigated forced labor complaints, including those received from independent observers, and 165 individuals were assessed administrative penalties. (5)

In addition to the MOELR-led inspections, there were three other mechanisms to monitor the cotton harvest in 2018. First, independent human rights activists conducted their own independent monitoring of the cotton harvest and the Uzbek-German Forum for Human Rights (UGF), a Berlin-based NGO, coordinated the publication of the findings, while others self-published information. (6,50) Second, the International Finance Corporation (IFC) conducted a 3-step assurance review of 105 farms in 2 provinces that participate in the IFC's Sustainable Cotton Supply Chain Development project in Uzbekistan. The review included monitoring by UGF for compliance with Decent Work principles. (51) And third, the ILO conducted TPM of the cotton harvest, using field teams consisting of an ILO monitor, an interpreter, and a human rights activist to observe harvest activities and conduct interviews with participants. Workers were provided contact information for the hotlines and telegram bots operated by the MOELR and the Federation of Trade Unions (FTUU) to obtain information and register complaints. (52)

The ILO TPM mechanism identified no cases of government-mobilized child labor; however, it observed children present with their parents or relatives in 12 of the 252 fields visited during harvest monitoring and noted the risk that families will involve their dependent minors in the picking to earn more income. ATPM project telephone survey of 1,000 adult cotton workers found 20 cases in which the respondent reported that a household member under age 18 had participated in spring 2018 cotton weeding. (5,52) The IFC assurance methodology turned up no cases of child labor, and research found no reports of child labor in 2018 by independent human rights activists and private citizens. (5,25,51,53-56)

In addition to monitoring the cotton harvest, both the MOELR and the FTUU operated separate Feedback Mechanism hotlines during the 2018 harvest, which workers and human rights activists could use to register complaints about child labor, forced labor, and other labor law violations. (6) Between the two hotlines, more than 2,500 complaints were registered with the MOELR during the reporting period, resulting in disciplinary actions against 169 government officials. (5,6) The number of complaints dropped dramatically over 2017, in which 7,339 complaints were made to the MOELR hotline alone. (11) Research did not uncover the cause of this drop and there were no reports of retaliation against complainants. (5)

The government focused its labor law enforcement efforts on child labor in the cotton sector; however, it also identified cases of child labor in *khashars*, community projects for the improvement of school grounds and nearby areas, and issued penalties when investigation found labor violations. (24)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Uzbekistan took actions to combat child labor (Table 7). However, only limited information on the activities of criminal law enforcement authorities was available.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown	Yes (6)
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	14 (6)
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (41)	Yes (6)

In 2018, the government provided trainings to police officers, investigators, prosecutors, and judges on identifying human trafficking victims and investigating human trafficking cases. (6)

Uzbekistan

MODERATE ADVANCEMENT

During the reporting period, 14 minors were identified as victims of trafficking and referred to a rehabilitation center to receive social services. (6) The government also reported 2006 investigations, 114 prosecutions, and 45 criminal convictions for forced labor, but it did not provide the number of cases, if any, pertaining to children. (6,23)

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 efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Coordination Council on Child Labor and Forced Labor (Coordination Council)	Chaired by the Deputy Prime Minister, coordinates efforts to address child labor issues, including monitoring the cotton harvest. (6,57-59) In 2018, shared responsibility with the Parliamentary Commission on Ensuring the Labor Rights of Citizens for carrying out an intensified public awareness campaign on state policies against forced labor and how to seek redress if labor rights are violated. (5)
Parliamentary Commission on Ensuring Guaranteed Labor Rights of Citizens	Monitors and regularly reports to the Senate on the activities of central and local-level government bodies involved in ensuring the labor rights of citizens, including the prevention of forced labor. Oversees implementation of the ILO Conventions on Decent Work, Child Labor, and Forced Labor. (6,11) In 2018, shared responsibility with the Coordination Council for carrying out an intensified public awareness campaign on state policies against forced labor. (5)
Interagency Working Group	Coordinates efforts to address labor rights issues, including child labor, and reports to ILO on the government's implementation of ratified conventions and its efforts to prevent forced labor and protect working minors. Headed by MOELR. (6) Research was unable to determine whether the working group was active during the reporting period.
National Interagency Commission to Combat Trafficking in Persons	Oversees efforts to combat human trafficking, including by improving interagency cooperation, raising public awareness, and drafting legislation. (6,58) Chaired by the Ministry of Foreign Affairs. (22) Research was unable to determine whether the commission was active during the reporting period.

The government continued to formally engage human rights activists through consultative meetings, and for the first time, included activists in a meeting of the Coordination Council for Child Labor and Forced Labor. (5,23,60) For the most part, activists and independent monitors were permitted to observe the harvest without interference by the authorities. However, the UGF and Radio Ozodlik reported that there were several incidents in which local government and law enforcement officials detained, harassed, and brought charges against civil society monitors and reporters. (26,61)

In a departure from previous years, the government's Coordination Council did not conduct national monitoring of the cotton harvest, but rather relied on the ILO's assessments. (6,22,24)

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 implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
Memorandum of Understanding Between the ILO and the Republic of Uzbekistan (2014–2020)	Establishes terms of agreement between ILO and the government on cooperation to implement the Decent Work Country Program in Uzbekistan. (62) Seeks to use ILO's assistance and work with ILO or other credible third parties to observe cotton harvests. (63,64) In 2018, the Government of Uzbekistan and ILO continued to work together under this agreement. (5,59)
Senate Resolution on Measures to Ensure Guaranteed Labor Rights to the Citizens of Uzbekistan	Establishes a plan to harmonize national legislation with the requirements of ILO conventions, including through developing relevant organizational structures and national programs, strengthening state and civil society capacity to guarantee the provision of labor rights, and carrying out an information campaign to inform citizens of their rights. (65) In 2018, the government carried out widespread information campaigns to inform the public of labor rights and warn them against forced labor. The government also almost doubled the payment for cotton pickers to encourage voluntary labor recruitment. (24)

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
National Development Strategy (2017–2021)	Outlines measures for economic liberalization and modernization, including through a decrease in cotton production, an increased focus on the production of finished goods, and a reduction of the state regulation. Includes objectives for poverty reduction, development of education and social protection strategies, capacity building for civil society and the press, and increased efficacy in anti-corruption measures. (42) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Action Plan for the Application of ILO Conventions	Establishes a framework for implementing ILO Conventions 138 and 182 by coordinating the activities of ministries, departments, and local government authorities. (41,66) Includes activities for the annual monitoring of the cotton harvest; however, national monitoring did not take place during the reporting period. (6) Research was unable to determine whether activities were undertaken to implement other aspects of this policy during the reporting period.
Action Plan on Improving Working Conditions, Employment, and Social Protection of Workers in Agriculture (2016–2018)	Articulated the government's commitment to improving conditions for hiring of workers in agriculture, strengthening the Feedback Mechanism and national monitoring to prevent child and forced labor, providing additional information and guidance to advance decent work, increasing mechanization of agriculture, and improving social protection for workers in agriculture. (67-69) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Cabinet of Ministers Order 909F	Outlines steps to ensure decent working conditions by preventing child and forced labor. Lays out the government's intentions to improve monitoring and feedback mechanisms, and to continue working with ILO and the World Bank to develop information materials and conduct public awareness campaigns on child and forced labor. (41) In 2018, the government's awareness-raising campaign included advertisements on television and radio; print materials including roadside banners and brochures; and 3 million text messages. The Minister of Employment and Labor Relations hosted press conferences throughout the cotton harvest. (5)

In 2018, the government continued to implement policies aimed at attracting a greater volume of voluntary workers to assist with the cotton harvest. These included raising wages for cotton pickers, raising the price offered to farmers for cotton, and creating a legal and economic framework to spur the creation of private business partnerships called “clusters” along the cotton value chain (from farm to finished products). (5,6) A small number of pilot clusters began operating in the cotton supply chain in 2018; about half of these were financed by foreign direct investment, and were not subject to government quotas or management. (5,6,22) However, the government maintained production policies that mandate harvest quotas, offering strong incentives for local administrators to mobilize forced labor, which in turn creates an ongoing risk that children may be mobilized if local authorities do not adhere to national legislation, including bans on the use of child labor. (50,57) However, there was no evidence of mobilization of children during the 2018 cotton harvest. (5,18,24)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that included 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
Support for the Implementation of the Decent Work Country Program in Uzbekistan (2014–2019)	\$6 million USDOL-funded project awarded to ILO to enhance the capacity of the government and workers' and employers' representatives to prevent and reduce child and forced labor and promote decent work in Uzbekistan. (71,72) In 2018, the project launched local-level working groups of officials and citizens involved in the recruitment of temporary seasonal agricultural laborers in Jizzakh and Ferghana and provided training on fair recruitment practices. Also developed capacity-building action plans for the Ministries of Education and Health on the prevention and elimination of child labor and forced labor. (49) Additional information is available on the USDOL website.

Uzbekistan

MODERATE ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Efforts to Prevent Child Labor in the Cotton Harvest	Includes initiatives to provide extracurricular activities for students who might otherwise participate in the cotton harvest after school, and raise awareness about the prohibition of child labor in the harvest. (65) This program was active in 2018, holding 10 informational seminars for youth on child labor. (6,24) In addition, MOELR carried out 3,155 events, including seminars, roundtables, publications in newspapers, websites, and radio and television ads, reaching an estimated 83,000 individuals. These events highlighted issues of compliance with labor, employment and labor protection legislation, the procedure for conducting inspections, the eradication of forced labor, and the prevention of child labor. (24)
Global Partnership for Education	Multilateral initiative to coordinate the efforts of developing countries, donors, international organizations, teachers, NGOs, and the private sector to secure universal access to quality education in developing countries. During the reporting period, a new education sector plan for 2019–2023 was developed by the education ministries and stakeholders with the support of UNICEF. (73-75)
School Assistance†	Ministry of Public Education program to provide winter clothes and other educational resources for needy families to support school attendance. (16,41) The government continued to support this program in 2018. (6)
Family Support Assistance†	Government program that provides an allowance to low-income families on the condition that their children continue their education up to age 18. (6,41) In 2018, the government provided allowance to low-income families with 405,801 children. (24)
Child Protection Assistance†	UNICEF program with the government to develop a national child protection system to prevent child abuse, exploitation, and violence, and to respond to children who are victims or at risk. (6,76) The government continued to cooperate with UNICEF on this program in 2018. (6)
National Rehabilitation Center†	MOELR-operated shelter that provides human trafficking victims with emergency medical and social services and assists in social rehabilitation. (6,65) The government continued to support this program in 2018. (6)
Ministry of Employment and Labor Relations' Fund for Community Works†	Offers the unemployed opportunities for paid public works, including seasonal agricultural work. Matches job seekers with labor needs in the cotton harvest to reduce the risk of forced labor. (45,77) The government continued to operate this program in 2018 to attract workers to areas of Uzbekistan where there were insufficient local populations to meet cotton harvest quotas. (6,24)

† Program is funded by the Government of Uzbekistan.

Although there are programs to address child labor in the cotton sector, research did not find evidence of programs designed to address child labor in other sectors, such as scrap metal collection.

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 Uzbekistan (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Criminally prohibit and penalize the use of a child for prostitution.	2015 – 2018
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Publish information about the labor inspectorate's funding, number of unannounced inspections, number of child labor violations for which penalties were imposed, and number of penalties imposed that were collected.	2015 – 2018
	Continue to increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2018
Enforcement	Ensure that labor inspectors are permitted to self-initiate unannounced inspections in all sectors, even if no complaint has been filed.	2018
	Publish data on criminal law enforcement efforts related to child labor.	2011 – 2018
	Reinstate national monitoring of the cotton harvest by the Coordination Council on Child Labor and Forced Labor, and extend monitoring to the spring weeding season, to continue building the capacity of local institutions to track and respond to cases of child labor in cotton production.	2018
Coordination	Publish information on the actions of the coordination bodies to fulfill their mandates.	2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Government Policies	Revise policies that mandate cotton harvest quotas to help prevent forced involvement of children under age 18 in the cotton harvest.	2012 – 2018
	Continue to allow independent observers unrestricted access to monitor labor conditions during the cotton harvest through unannounced site visits and sanction officials who harass or obstruct independent monitors.	2017 – 2018
	Publish information on actions taken to implement each of the specific policies and action plans established to address child labor.	2018
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2018
	Expand programs to address the worst forms of child labor in sectors other than cotton harvesting.	2009 – 2018

REFERENCES

- Ozodlik. Students in Uzbekistan are locked up for not turning in scrap metal. February 25, 2015. <http://www.ozodlik.org/content/article/26867626.html>.
- Ashurov, Sadriiddin, and Farruh Yusupov. Out of the Uzbek Cotton Fields, On to the Scrap Yard. February 16, 2015. <http://www.rferl.org/content/uzbekcottonpickingscrappyard/26852654.html>.
- Ozodlik. Parents Purchase Scrap Metal to Save their Children from Humiliation in School. February 11, 2016. <http://rus.ozodlik.org/a/27544509.html>.
- Ozodlik. Uzbek Students Dig in the Trash and Walk the Gutters in Search of Scrap Metal. October 24, 2016. <http://rus.ozodlik.org/a/28070485.html>.
- ILO. Third party monitoring of child labour and forced labour during the 2018 cotton harvest in Uzbekistan April 1, 2019. https://www.ilo.org/ipecc/Informationresources/WCMS_681372/lang-en/index.htm.
- U.S. Embassy- Tashkent. Reporting. February 22, 2019.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2010. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 3, 2006. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Uzbek-German Forum for Human Rights. Human Rights Due Diligence and World Bank Funding in Uzbekistan’s Agricultural Sector. June 2014. <http://uzbekgermanforum.org/wp-content/uploads/2014/06/UGF-World-Bank-Loans-to-Uzbekistan.pdf>.
- Uzbek-German Forum for Human Rights. Silk Loop for Uzbek Farmers. September 12, 2015. <http://uzbekgermanforum.org/report-silk-loop-for-uzbek-farmers/>.
- U.S. Embassy- Tashkent. Reporting. January 9, 2018.
- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Uzbekistan (Ratification: 2008) Published: 2015. Accessed January 5, 2016. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3188557:NO.
- Ozodlik. In Uzbekistan, students who don’t turn in scrap metal are threatened with expulsion. October 1, 2015. <http://www.ozodlik.org/content/article/26785683.html>.
- Uzbek-German Forum for Human Rights. The Cover-up: Whitewashing Uzbekistan’s White Gold. March 2016. <http://uzbekgermanforum.org/wp-content/uploads/2016/03/Cotton-Report-2015.pdf>.
- U.S. Department of State. Trafficking in Persons Report- 2015: Uzbekistan. Washington, D.C. July 27, 2015. <https://2009-2017.state.gov/documents/organization/243562.pdf>
- U.S. Embassy- Tashkent. Reporting. February 16, 2016.
- Uzbek-German Forum for Human Rights. There is no work we haven’t done: Forced labor of public sector employees in Uzbekistan February 2019. <http://uzbekgermanforum.org/wp-content/uploads/2019/02/Uzbekistan-Forced-Labor-in-Public-Sector-Report.English.1.2019.pdf>.
- U.S. Department of State. Trafficking in Persons Report- 2019: Uzbekistan. Washington, DC. June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/uzbekistan/>.
- U.S. Department of State. Trafficking in Persons Report- 2018: Uzbekistan. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/uzbekistan/>.
- Uzbek-German Forum for Human Rights. Forced Labor in Uzbekistan’s Cotton Sector: Preliminary Findings from the 2016 Harvest. December 2016. http://uzbekgermanforum.org/wp-content/uploads/2016/12/20161205-Forced-Labor-in-Uzbekistans-Cotton-Sector_final-memo-1.pdf.
- Uzbek-German Forum for Human Rights. Despite Commitment and Efforts, Systematic Forced Labor in Uzbekistan’s Cotton Fields was Present During the 2018 Harvest. December 14, 2018. <http://uzbekgermanforum.org/despite-commitment-and-efforts-systematic-forced-labor-in-uzbekistan-s-cotton-fields-was-present-during-the-2018-harvest/>.
- U.S. Embassy- Tashkent. Reporting. January 9, 2019.
- U.S. Department of State. Country Reports on Human Rights Practices- 2018: Uzbekistan. March 13, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/uzbekistan/>.
- U.S. Embassy- Tashkent official. Email communication to USDOL official. July 18, 2019.
- U.S. Embassy- Tashkent. Reporting. December 21, 2019.
- Uzbek-German Forum for Human Rights. They said we wouldn’t have to pick and now they send us to the fields April 2019. <http://uzbekgermanforum.org/wp-content/uploads/2019/04/Cotton-Harvest-2018-4.pdf>.
- Uzbek-German Forum for Human Rights. We Pick Cotton out of Fear: systematic forced labor and the accountability gap in Uzbekistan. May 19, 2018. http://uzbekgermanforum.org/wp-content/uploads/2018/05/We_pick_cotton_out_of_fear.pdf.
- Government of the Republic of Uzbekistan. Law No. ZRU-239 to amend the Labour Code of the Republic of Uzbekistan and Law on Child’s Rights Guarantees, UZB-2009-L-85547. Enacted: 2009. http://www.oit.org/dyn/natlex/natlex_browse.details?p_lang=en&p_isn=85547.

MODERATE ADVANCEMENT

- 29 Government of the Republic of Uzbekistan. Law No. ZRU-139 On the Guarantees of the Rights of the Child, UZB-2008-L-85548. Enacted: 2008.
http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_isn=85548.
- 30 Government of the Republic of Uzbekistan. Law No. ZRU-365 Labor Code of the Republic of Uzbekistan. Enacted: 1996.
https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=98879.
- 31 Government of the Republic of Uzbekistan. Law No. 2015-XII Administrative Code of the Republic of Uzbekistan. Enacted: 1994. Source on file.
- 32 Government of the Republic of Uzbekistan. Decree on Approval of Provision on Requirements on Prohibition of Use of Minors' Labor. Enacted: 2010. Source on file.
- 33 Government of the Republic of Uzbekistan. Decree on Adoption of the List of Occupations with Unfavorable Working Conditions to which it is forbidden to Employ Persons under Eighteen Years of Age. Enacted: 2009. Source on file.
- 34 Government of the Republic of Uzbekistan. Constitution of the Republic of Uzbekistan. Enacted: 1992.
<http://gov.uz/en/constitution/>.
- 35 Government of the Republic of Uzbekistan. Criminal Code of the Republic of Uzbekistan. Enacted: 1994.
<http://www.legislationline.org/documents/section/criminal-codes/country/55>.
- 36 Government of the Republic of Uzbekistan. Law on Universal Military Service. Enacted: 2002. Source on file.
- 37 Government of the Republic of Uzbekistan. Law on Education. Enacted: 1997.
http://www.lex.uz/pages/GetAct.aspx?lact_id=15622.
- 38 Ministry of Foreign Affairs of the Republic of Uzbekistan official. Written communication to U.S. Department of State official. February 17, 2014.
- 39 U.S. Embassy - Tashkent. Reporting. January 15, 2015.
- 40 Government of the Republic of Uzbekistan. Information on anti-TIP efforts carried out in Uzbekistan in 2014. 2015.
- 41 U.S. Embassy - Tashkent. Reporting. January 13, 2016.
- 42 Government of Uzbekistan. Response to FRN. Source on file.
- 43 ILO-Geneva official. Email Communication to USDOL official. 2018.
- 44 ILO-Tashkent official. Email communication to USDOL official. 2018.
- 45 Government of Uzbekistan. Resolution on Measures for Improving the Structure of Labour Governance Bodies and Strengthening the System for Protection of Labour Rights and Occupational Safety and Health. August 20, 2018. Source on file.
- 46 CIA. The World Factbook. Accessed March 18, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 47 ILO. Strategies and Practice for Labour Inspection. (GB.297/ESP/3). November 2006. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>.
- 48 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 49 ILO. Support to the Implementation of the Decent Work Country Program in Uzbekistan: Technical Progress Report. October 2018. Source on file.
- 50 Uzbek-German Forum for Human Rights. Cotton Harvest 2017: Summary of Key Findings. March 2018. Source on file.
- 51 International Finance Corporation. Sustainable Cotton Supply Chain Development in Uzbekistan: The Development, Testing, and Implementation of a Sustainable Cotton Standard System. February 28, 2019.
<https://www.ifc.org/wps/wcm/connect/6fcb79f3-c156-4e8f-888b-cfbd079a0476/Project-Report-Sustainable-Cotton-Supply-Uzbekistan.pdf>.
- 52 ILO. Third Party Monitoring of Child and Forced Labour During the 2018 Cotton Harvest in Uzbekistan [DRAFT]. February 2019.
- 53 Better Cotton Initiative. Principles and Criteria. Version 2.1. March 2018.
<https://bettercotton.org/wp-content/uploads/2019/06/Better-Cotton-Principles-Criteria-V2.1.pdf>.
- 54 Uzbek-German Forum for Human Rights. Cotton Harvest Chronicle 2018, Issue 3. October 13, 2018.
<http://uzbekgermanforum.org/cotton-harvest-chronicle-2018-issue-3/>.
- 55 Uzbek-German Forum for Human Rights. Cotton Harvest Chronicle 2018, Issue 4. October 29, 2018.
<http://uzbekgermanforum.org/wp-content/uploads/2018/10/Cotton-Harvest-Chronicle-2018-Issue-4.pdf>.
- 56 Uzbek-German Forum for Human Rights. Cotton Harvest Chronicle 2018, Issue 2. October 2018.
<http://uzbekgermanforum.org/wp-content/uploads/2018/10/Cotton-chronicle-2018.pdf>.
- 57 U.S. Embassy - Tashkent. Reporting. February 13, 2017.
- 58 Government of Uzbekistan. Response to TIP 2015 Questionnaire. 2016.
- 59 Gotev, Narbaeva: Uzbekistan is determined to reform and put an end to negative stereotypes. April 4, 2019.
<https://www.euractiv.com/section/central-asia/interview/narbaeva-uzbekistan-is-determined-to-reform-and-put-an-end-to-negative-stereotypes/>.
- 60 USDOL Official. Trip Report, May 2018.
- 61 Uzbek-German Forum for Human Rights. Journalist Detained for Exposing Hokim Ordering Doctors and Teachers to Pick Cotton. October 31, 2018.
<http://uzbekgermanforum.org/journalist-davlatnazar-ruzmetov-was-detained-for-seven-days-for-attempting-to-record-a-meeting-where-the-district-hokim-ordered-teachers-and-doctors-to-pick-cotton/>.
- 62 ILO and the Republic of Uzbekistan. Memorandum of Understanding. 2014.
<http://www.ilo.org/public/english/bureau/program/dwcp/download/uzbekistan.pdf>.
- 63 ILO Committee of Experts. Report of the Committee of Experts on the Application of Conventions and Recommendations.
http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_174843.pdf.
- 64 ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Uzbekistan (ratification: 2008) Published: 2013. Accessed January 14, 2014.
https://ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3149080.
- 65 Government of Uzbekistan. Response to TDA Questionnaire. January 25, 2017.
- 66 Government of the Republic of Uzbekistan. National Action Plan for the Application of ILO Conventions. Enacted: May 27, 2014.
<http://www.fbm.uz/ru/lex/national/>.
- 67 ILO. Third Party Monitoring of the use of child labour and forced labour during the Uzbekistan 2015 Cotton Harvest. November 20, 2015.
<http://pubdocs.worldbank.org/en/307241448038866033/Uzbek-2015-TPM-Report-20112015.pdf>.
- 68 Government of Uzbekistan. Cooperation with the ILO and World Bank on Eliminating Forced and Child Labor. January 15, 2016. Source on file.
- 69 Government of the Republic of Uzbekistan. Government Action Plan for improving labor conditions, employment and social protection of workers in agricultural sector in 2016-2018. Enacted: January 7, 2016. Source on file.

- 70 Government of Uzbekistan. Uzbekistan Education Sector Plan 2013-2017. September 2013. <http://www.globalpartnership.org/sites/default/files/2013-09-Uzbekistan-Education-Sector-Plan-2013-2017.pdf>.
- 71 U.S. Department of Labor's Office of Child Labor Forced Labor and Human Trafficking. Notice of Intent to Fund the Decent Work Country Program in Uzbekistan. 2014.
- 72 Coordination Council for the Problems of Child Labor in the Republic of Uzbekistan. Minutes No. 5 About the Results of the National Monitoring of Child Labour in Cotton Harvest in 2014 and the Recommendations for the Governmental Authorities, Ministries, Agencies and Civil Society Institutes. November 3, 2014. Source on file.
- 73 Global Partnership for Education. Global Partnership for Education: Uzbekistan. January 14, 2015. <http://www.globalpartnership.org/country/uzbekistan>.
- 74 Global Partnership for Education. Global Partnership for Education: About GPE. January 14, 2015. <http://www.globalpartnership.org/about-GPE>.
- 75 World Bank. Uzbekistan Education Sector Analysis. December 27, 2018. <http://documents.worldbank.org/curated/en/379211551844192053/pdf/Uzbekistan-Education-Sector-Analysis.pdf>.
- 76 UNICEF. UNICEF Uzbekistan: Child Protection: Social Work. January 14, 2015. <http://unicef.uz/en/programmes/child-protection/social-work>.
- 77 U.S. Embassy- Tashkent official. Email communication to USDOL official. July 3, 2018.
- 78 Cabinet of Ministers, Decree 349 on Additional Measures to Eradicate Forced Labor in the Republic of Uzbekistan, May 10, 2018. <http://lex.uz/docs/3730231?query>.

In 2018, Vanuatu made a minimal advancement in efforts to eliminate the worst forms of child labor. The government reactivated the National Child Protection Working Group, which had been inactive since 2014. The Ambae volcano erupted in July, which forced more than 10,000 residents to relocate to neighboring islands. Children experienced long interruptions to their education and may be more vulnerable to the worst forms of child labor due to the eruption and subsequent evacuations. Although research is limited, there is evidence that children in Vanuatu engage in dangerous tasks in forestry. Vanuatu's minimum ages of 14 for work and 15 for hazardous work do not comply with international standards. In addition, the government did not respond to requests for information related to labor law enforcement or criminal law enforcement efforts related to eliminating child labor. Also, Vanuatu lacks a referral mechanism for criminal authorities to refer cases to social services for children.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Vanuatu engage in dangerous tasks in forestry. (1) Table 1 provides key indicators on children's work and education in Vanuatu. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		93.8

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2019. (2) Data were unavailable from International Labor Organization's analysis, 2019. (3)

In July 2018, the Government of Vanuatu issued a mandatory evacuation order for the 10,000 residents on the Island of Ambae due to volcanic activity. Residents were relocated to nearby islands in temporary shelters. (4) The government closed all schools on Ambae, and students were accommodated on neighboring islands in temporary education facilities which lacked the proper infrastructure and resources. (5) Because of the volcanic eruption, children experienced long gaps in their education. While there were no reports of increased child labor after the volcanic eruption, children in Vanuatu may be more vulnerable to child labor and the worst forms of child labor following the disaster. (6,7) 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	Forestry, including logging (1,7,8)
Services	Street vending (1,7,8)

† 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.

Vanuatu lacks data to determine the nature and prevalence of child labor in the country. (1,7-9) Children living in remote areas face difficulties accessing education, increasing the risk of children's involvement in child labor. (10,11)

MINIMAL ADVANCEMENT

II. LEGAL FRAMEWORK FOR CHILD LABOR

Vanuatu has ratified most 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 Vanuatu's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	14	Section 38 of the Employment Act (12)
Minimum Age for Hazardous Work	No	15	Section 40 of the Employment Act (12)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Section 40 of the Employment Act (12)
Prohibition of Forced Labor	No		Section 7 of the Employment Act; Section 102 of the Penal Code; Organized Crime Act (12-14)
Prohibition of Child Trafficking	Yes		Section 35 of the Counter Terrorism and Transnational Organized Crime Act (14)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 101B–D and 147A–B of the Penal Code (13)
Prohibition of Using Children in Illicit Activities	No		Section 35 of the Penal Code (13)
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	No		
Free Public Education	No		

† No standing military (15)

The minimum age for work does not meet international standards because the Employment Act permits children as young as age 14 to work. (12) The Employment Act permits children ages 12 and 13 to work in agricultural light work, but it does not specify the activities and hours per week that are allowed. (9,12) The government has yet to pass the Employment Relations Bill of 2012 that prohibits the engagement of children under the age of 18 in hazardous work, and it has not determined by national law or regulation the types of hazardous work prohibited for children. (10,16,17) The minimum age of 15 for hazardous work does not comply with international standards and does not protect children from work that could jeopardize their health and safety. (12)

Laws related to forced labor are not sufficient, as debt bondage is not criminally prohibited. (9,12,13) In addition, the Penal Code does not include heightened penalties for inciting children to engage in criminal activities, including drug production and drug trafficking. (13) Although it does not appear that there are any laws that provide free basic education, the Primary Education School Fee Grant Policy sufficiently provides free basic education in government-owned schools for children in grades one to six. (18)

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 Department of Labor and Ministry of Justice and Community Services that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor	Enforces provisions set forth in the Employment Act, including child labor laws. (9)
Ministry of Justice and Community Services (MJCS)	Supports agencies that review laws, draft new laws, and implement relevant UN Conventions. (19) The Child Desk strengthens national planning, integrates international goals (e.g., United Nations Convention on the Rights of the Child), develops a system of protection for children, and supports community efforts to prevent child abuse. (19,20)
Vanuatu Police Force	Enforces all criminal laws related to the worst forms of child labor. (9)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Vanuatu took actions to combat child labor (Table 6). However, gaps exist within the operations of the Department of Labor that may hinder adequate labor law enforcement, including not making labor law enforcement information publically available.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (1)	Unknown (8)
Number of Labor Inspectors	Unknown (1)	Unknown (8)
Inspectorate Authorized to Assess Penalties	Unknown (1)	Yes (8)
Initial Training for New Labor Inspectors		
Training on New Laws Related to Child Labor	Unknown (1)	Unknown (8)
Refresher Courses Provided	Unknown (1)	Unknown (8)
Number of Labor Inspections Conducted	Unknown (1)	Unknown (8)
Number Conducted at Worksite	Unknown (1)	Unknown (8)
Number of Child Labor Violations Found	Unknown (1)	Unknown (8)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	Unknown (8)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (8)
Routine Inspections Conducted	Unknown (1)	Unknown (8)
Routine Inspections Targeted	Unknown (1)	Unknown (8)
Unannounced Inspections Permitted	Unknown (1)	Yes (8)
Unannounced Inspections Conducted	Yes (1)	Yes (8)
Complaint Mechanism Exists	Yes (1)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (1)	No (8)

The Government of Vanuatu did not respond to requests for information on labor law enforcement efforts. Vanuatu lacks a referral mechanism to connect enforcement authorities and social services due to a lack of inter-agency protocol development between different services. (6-8)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Vanuatu took actions to combat child labor (Table 7).

MINIMAL ADVANCEMENT

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (1)	Unknown (8)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (8)
Refresher Courses Provided	Unknown (1)	Unknown (8)
Number of Investigations	Unknown (1)	Unknown (8)
Number of Violations Found	Unknown (1)	Unknown (8)
Number of Prosecutions Initiated	Unknown (1)	Unknown (8)
Number of Convictions	Unknown (1)	Unknown (8)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (1)	Unknown (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (1)	No (8)

The Government of Vanuatu did not respond to requests for information on criminal law enforcement efforts related to child labor. (8) Based on the most recent data available from 2012, the Vanuatu Police Force employs 50 investigators, who are responsible for enforcing laws against the worst forms of child labor. Although the police have established standard operating procedures to attend to child victims, there is no formal referral mechanism between the police and social services. (6-8,21)

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 efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
National Child Protection Working Group	Serves as the primary forum for exchanging information on child protection and the commercial sexual exploitation of children. Chaired by the Director General of the Ministry of Justice and Community Services and comprises representatives from the government, UN agencies, civil society organizations, and NGOs. (1,22-24) The coordinating body was reactivated during the reporting period, but research was unable to determine whether this coordinating body had regular meetings or implemented any programming. Reports indicate that the group lacks a national policy on eliminating commercial sexual exploitation of children and that government funding is insufficient. (6-8)
Kastom (custom)	Serves as the primary informal method to handle child protection issues in Vanuatu. Comprising informal service providers, including religious leaders, women's groups, and NGOs, children are referred through <i>Kastom</i> for services. (6-8,25)

Although the government has established a National Child Protection Working Group to combat the commercial sexual exploitation of children, research found no evidence that there is a coordinating mechanism to address all forms of child labor. (1) Although *Kastom* is a common mechanism used locally to address child protection issues, research found there is a lack of established inter-agency protocols and procedures between *Kastom* and governmental offices—including the Vanuatu Police Force—to sufficiently coordinate and ensure that child protection services are provided. (6-8)

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 in implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
Vanuatu National Child Protection Policy (2016–2026)	Aims to create an environment that protects children from abuse, exploitation, human trafficking, neglect, and violence. Provides children with equitable access to services to support reintegration and recovery when needed. (23) However, this policy continues to leave children vulnerable to exploitation, as the responsible offices suffer from a lack of human resources and lack of funding to fully implement the National Child Protection Policy, which leaves children vulnerable to illicit activities. (7,8) Research was unable to determine whether activities were undertaken to implement the Vanuatu National Child Protection Policy during the reporting period.
Vanuatu Child Safeguarding Policy (2017–2020)	Provides guidelines for protecting children from abuse, including child labor, violence, sexual abuse, neglect, and exploitation. Provides a reporting mechanism for identifying and responding to child abuse. (1,26) Research was unable to determine whether activities were undertaken to implement the Vanuatu Child Safeguard Policy during the reporting period.
United Nations Pacific Strategy (2018–2022)†	A multinational strategic framework, comprising 14 South Pacific nations, created to address, develop, and implement strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (27)

† 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. (20)

The National Child Protection Policy aims to protect children from the worst forms of child labor, including commercial sexual exploitation and human trafficking. (1,23) There are no set standards or requirements that child protection providers, services, or agents must follow, and the National Child Protection Policy does not mandate registering child protection agents or maintaining a cohesive register of civil society organizations tasked with protecting children. (7,8,23) Vanuatu does not have a child protection law that directs the government's responsibility to regulate resources to safeguard children or provide resources and legal aid to children and their families. While the government acknowledges these gaps and is developing a Child Protection Bill, research was unable to determine whether activities were undertaken to continue implementing the Vanuatu National Child Protection Policy or the Vanuatu Child Safeguarding Policy during the reporting period. (6,7)

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 sufficient funding.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Education School Fee Grant†	Funded by the Government of Vanuatu's Ministry of Education; provides funding directly to primary schools to manage. Funds are disbursed to students in Years 1 through 6 to offset education costs. (18) Research was unable to determine whether activities were undertaken to implement the Education School Fee Grant program during the reporting period.

† Program is funded by the Government of Vanuatu

Research was unable to determine whether the Vanuatu Education School Fee Grant program contained child labor elimination policies or efforts.

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 Vanuatu (Table 11).

MINIMAL ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2014 – 2018
	Establish a minimum age for work of at least 15 years.	2016 – 2018
	Ensure the engagement of children under the age of 18 in hazardous work is prohibited by passing the Employment Relations Bill of 2012.	2016 – 2018
	Determine by national law or regulation the types of hazardous work prohibited for children after consultation with employers' and workers' organizations.	2009 – 2018
	Ensure that the law protects children ages 12 and 13 employed in light agricultural work by specifying the activities and hours per week that are allowed.	2009 – 2018
	Ensure that debt bondage is criminally prohibited.	2015 – 2018
	Ensure that the law specifically prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2016 – 2018
	Ensure that the law criminalizes the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Establish a law providing free basic public education.	2016 – 2018
	Establish by law a compulsory education age that extends to the minimum age for employment.	2016 – 2018
	Finalize and implement the Child Protection Bill.	2018
Enforcement	Publish information on child labor law enforcement efforts undertaken, including labor inspectorate funding, the number of child labor violations found, and the number of child labor penalties imposed.	2012 – 2018
	Publish information on the number of criminal law enforcement efforts undertaken, including the number of child labor investigations initiated, the number of child labor penalties imposed, and the number of criminal law enforcement convictions secured.	2012 – 2018
	Establish and sufficiently fund referral mechanisms among the Department of Labor, the Vanuatu Police Force, and social welfare services to protect and rehabilitate children involved in child labor, including its worst forms.	2014 – 2018
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2016 – 2018
Coordination	Establish a coordinating mechanism to combat child labor, including its worst forms.	2012 – 2018
	Establish inter-agency protocols and a referral and coordination mechanism between <i>Kastom</i> and government child protection services.	2018
	Ensure the National Child Protection Working Group convenes regularly-scheduled meetings. Ensure the working group is sufficiently funded by the government and drafts and implements a national policy on eliminating commercial sexual exploitation of children.	2018
Government Policies	Ensure the National Child Protection Policy and the Child Safeguarding Policy address all relevant worst forms of child labor, such as the use of children in illicit activities.	2016 – 2018
	Publish information about activities undertaken to implement the Vanuatu National Child Protection Policy and the Child Safeguarding Policy.	2017 – 2018
Social Programs	Collect and publish data, such as a national child labor survey, to determine the prevalence and nature of child labor in Vanuatu.	2014 – 2018
	Increase access to education for children living in remote locations.	2012 – 2018
	Implement programs to address child labor, specifically in forestry and street vending.	2012 – 2018
	Continue to reopen schools, and ensure that disaster relief efforts include measures to provide education access to all affected children and prevent children from engaging in child labor and the worst forms of child labor.	2018
	Ensure the Education School Fee Grant program is sufficiently funded.	2018

REFERENCES

- 1 U.S. Embassy- Port Moresby. Reporting, January 16, 2018.
- 2 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- 3 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- 4 Radio New Zealand. Evacuees returning to Vanuatu’s Ambae against official advice. Radio New Zealand, January 3, 2019. <https://www.radionz.co.nz/international/pacific-news/379355/evacuees-returning-to-vanuatu-s-ambae-against-official-advice>.

- 5 Radio New Zealand. Vanuatu students struggling after leaving Ambae. Radio New Zealand. June 20, 2018. <https://www.radionz.co.nz/international/pacific-news/360023/vanuatu-students-struggling-after-leaving-ambae>.
- 6 U.S. Embassy Port Moresby. Email communication to USDOL official. March 10, 2019.
- 7 Save the Children. Child Rights Situation Analysis: Vanuatu 2018. June 2018. Source on file.
- 8 U.S. Embassy- Port Moresby. Reporting. January 31, 2019.
- 9 U.S. Embassy- Port Moresby. Reporting. January 31, 2017.
- 10 ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Vanuatu (ratification: 2006) Published: 2017. Accessed March 9, 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13101:0::NO:13101:P13101_COMMENT_ID:3294473.
- 11 Child Rights International Network. Vanuatu: Children's Rights References in the Universal Periodic Review. January 30, 2014. <https://www.crin.org/en/library/publications/vanuatu-childrens-rights-references-universal-periodic-review-0>.
- 12 Government of Vanuatu. Employment Act (Cap 160). Enacted: May 30, 1983. Source on file.
- 13 Government of Vanuatu. Penal Code, Chapter 135. Enacted: August 7, 1981. http://www.pacii.org/vu/legis/consol_act/pc66/.
- 14 Government of Vanuatu. Counter Terrorism and Transnational Organised Crime Act. Enacted: February 24, 2006. https://www.unodc.org/res/cld/document/vut/2006/counter_terrorism_and_transnational_organised_crime_act_html/Vanuatu_Counter_Terrorism_and_Transnational_Organised_Crime_Act.pdf.
- 15 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 16 Vanuatu Chamber of Commerce and Industry. Employer Survey (Employment Relations Bill) Accessed April 23, 2019. <http://www.vcci.com.vu/business-service/labour-law-reform/>.
- 17 Government of Vanuatu. Employment Relations Bill 2012 (Draft). June 2012. <http://www.vcci.com.vu/wp-content/uploads/2013/04/ERB.pdf>.
- 18 Tabimasmas, Charlot Salwai. Schools Grants Scheme. Government of Vanuatu Ministry of Education, January 22, 2010. https://moet.gov.vu/docs/school-grants/Grants_Scheme.pdf.
- 19 Government of Vanuatu. Ministry of Justices & Community Services. 2014. <https://mjcs.gov.vu/index.php/justice-sector>.
- 20 Government of Vanuatu. Ministry of Justice and Community Services Annual Report. 2017. https://mjcs.gov.vu/images/reporting/ANNUAL_REPORT_-_2018_MJCS_CSU_-_09.05.18_-_DRAFT_VI1.0.pdf.
- 21 U.S. Embassy- Port Moresby. Reporting, December 28, 2014.
- 22 U.S. Embassy Port Moresby official. Email communication to USDOL official. February 15, 2017.
- 23 Government of Vanuatu. Vanuatu National Child Protection Policy 2016–2026. 2016. http://www.mjcs.gov.vu/images/policy/Vanuatu_National_Child_Protection_Policy_2016-2026_FINAL_Nov16.pdf.
- 24 UN Committee on the Rights of the Child. Consideration of reports of States parties: Replies of Vanuatu to the list of issues. August 17, 2017: CRC/C/VUT/Q/2/Add.1. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkGldPPRiCAqhKb7yhsvLY7XvhK/OZc0Mh9WtkqV6zJbSeGm9VPHjyZE9JCSRhuJINFE3dAXEUgsN9IFCVFnHpK00D1liIN23rx7aTA02BtgdNL96UgSmtnpGG8HIGuxQU6+3uHPCqk5bWqv6Q==>.
- 25 U.S. Embassy Port Moresby. Email communication to USDOL official. July 5, 2019.
- 26 Government of Vanuatu, Ministry of Education and Training. Child Safeguarding Policy 2017–2020. April 7, 2017. https://moet.gov.vu/docs/press-releases/ministry/MoET_Child_Safeguarding_Policy_2017_04_2017.pdf.
- 27 UN. United Nations Pacific Strategy 2018–2022: A Multi-Country Sustainable Development Framework in the Pacific Region. 2017. https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf.

For the 2018 reporting period, no assessment has been made regarding Wallis and Futuna's efforts to advance the elimination of the worst forms of child labor because there is no evidence of a child labor problem in Wallis and Futuna. In addition, the country has a good legal and enforcement framework on child labor.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Wallis and Futuna. Wallis and Futuna has a population of 11,568 inhabitants, including 4,360 under the age of 20. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Wallis and Futuna is considered a French Overseas Collectivity, and, as such, cannot ratify international conventions. However, France's ratification of such conventions applies to Wallis and Futuna. (1,2) France has ratified all key international conventions concerning child labor (Table 1).

Table 1. 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	✓

French law applies in Wallis and Futuna. (1,2) The Government of France has established laws and regulations related to child labor, which are in line with relevant international standards (Table 2).

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 118 of the Labor Code of Wallis and Futuna (3)
Minimum Age for Hazardous Work	Yes	18	Article 115 of the Labor Code of Wallis and Futuna (3)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles R234-6 of the Labor Code; Decree No. 2013-915, Relative to Work That is Prohibited and Regulated for Young People Less Than 18 Years (4,5)
Prohibition of Forced Labor	Yes		Articles 212-1, 224-1, 225-4-1, 225-14-1, 225-14-2, and 711-1 of the Penal Code; Article 2 of the Labor Code of Wallis and Futuna (3,6)
Prohibition of Child Trafficking	Yes		Articles 225-4-1 to 225-4-9 and 711-1 of the Penal Code (6)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 225-5 to 12 and 711-1 of the Penal Code (6)
Prohibition of Using Children in Illicit Activities	Yes		Articles 222-35, 227-15 to 227-28-3, and 711-1 of the Penal Code (6)
Minimum Age for Voluntary State Military Recruitment	N/A		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 461-7 of the Penal Code (6)
Compulsory Education Age	Yes	16	Articles L131-1 and L161-1 of the Education Code of France (7)

Wallis and Futuna

NO ASSESSMENT

Table 2. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Free Public Education	Yes		Articles L132-1, L132-2, and L161-1 of the Education Code of France (7)

* No conscription (8,9)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

Even with no evidence of a problem, the Government of France has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Service of Labor and Social Laws Inspectorate (SITAS)	Enforces labor laws and report violations involving children to local social assistance personnel. (1,10,11-12) Under the joint authority of the Ministry of Labor and Ministry of Overseas Territories. Officers in SITAS work as social and education child counselors. (1)
Defender of Rights	Promotes children's rights, including through the prohibition of child labor. (13)
French National Police	Oversees the health and safety of children. (11)
Prime Minister's Office	Coordinates activities between the Ministries of Overseas Territories, Justice, National Education, and Labor in Wallis and Futuna. (1)

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor, including its worst forms.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, there are no actions needed to advance the continued prevention of child labor in Wallis and Futuna.

REFERENCES

- 1 U.S. Embassy- Paris. Reporting. February 7, 2019.
- 2 Government of France. Loi n° 61-814 du 29 Juillet 1961 Conférant aux Iles Wallis et Futuna le Statut de Territoire d'Outre-Mer. Enacted: 1961; Updated May 1, 2012. <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT00000684031&categorieLien=cid>.
- 3 Government of Wallis and Futuna. Code du Travail applicable à Wallis et Futuna. Enacted: June 30, 2014. <http://www.wallis-et-futuna.gouv.fr/Publications/Publications-administratives/Reglementation-du-Travail/Code-du-Travail-applicable-a-WF>.
- 4 Government of France. Décret n° 2013-915 du 11 Octobre 2013 Relatif aux Travaux Interdits et Réglementés pour les Jeunes Agés de Moins de Dix-Huit Ans. Enacted: October 11, 2013. <http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000028057273&dateTexte=&categorieLien=id>.
- 5 Government of France. Code du Travail. Enacted: May 2008. https://www.legifrance.gouv.fr/affichCode.do?sessionId=879345019B26E1D33B423B1B97FC6807.tpdila16v_2?cidTexte=LEGITEXT000006072050&dateTexte=20160404.
- 6 Government of France. Code Penal. Enacted: June 1998. http://www.wipo.int/wipolex/en/text.jsp?file_id=342991.
- 7 Government of France. Code de l'Education. Enacted: 2014. <https://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000006071191>.

Wallis and Futuna

NO ASSESSMENT

- 8 UN Committee on the Rights of the Child. Consideration of Reports Submitted by States 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: Wallis and Futuna. October 15, 2007: CRC/C/OPAC/FRA/CO/1. Source on file.
- 9 CIA. The World Factbook: Wallis and Futuna. Cited February 20, 2019. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 10 U.S. Embassy- Paris. Reporting. January 23, 2017.
- 11 U.S. Embassy- Paris. Reporting. February 3, 2015.
- 12 U.S. Embassy- Paris. Reporting. January 18, 2018.
- 13 U.S. Embassy- Paris. Reporting. January 17, 2014.

West Bank and the Gaza Strip

MINIMAL ADVANCEMENT

In 2018, the Palestinian Authority made a minimal advancement in efforts to eliminate the worst forms of child labor in the areas of the West Bank under its control. The Ministry of Education and Higher Education improved training for teachers and began building more classrooms and equipping them with digital facilities to improve learning at schools. The Palestinian Authority also cooperated with the United Nations Children’s Fund and the United Nations Relief and Works Agency for Palestine Refugees in the Near East to provide educational services to 280,000 students and emergency school supplies to more than 14,700 students. However, children in the West Bank and the Gaza Strip engage in the worst forms of child labor, including in construction and illicit activities. Children also engage in child labor in street vending. The legal framework does not criminally prohibit all elements of child trafficking, and labor inspectors are not authorized to assess penalties. In addition, programs to prevent or eliminate child labor are insufficient.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the West Bank and the Gaza Strip engage in the worst forms of child labor, including in construction and illicit activities. Children also engage in child labor in street vending. (1-3) Table 1 provides key indicators on children’s work and education in the West Bank and the Gaza Strip. Data on some of these indicators are not available from the sources used in this report. The Palestinian Authority (PA) declined to meet or provide information for inclusion in this report, in contrast to previous years.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		95.9

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (4)
Data were unavailable from International Labor Organization’s analysis, 2019. (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	Cultivating asparagus, dates, eggplants, onions, sweet peppers, grapes, tomatoes, olives, and marijuana (2,6,7-10)
	Fishing,† including working on fishing boats and repairing nets (2,3,10,11)
	Raising poultry and sheep (2,12)
Industry	Construction,† including demolishing buildings and collecting rubble and gravel for construction purposes (1-3,10,13,14)
	Manufacturing, including working in pottery workshops (1,3)
	Working in factories (10,15)
Services	Street vending, portering, and cleaning cars (1-3,10,13,15,16)
	Begging (10,15)
	Working in auto body shops and metal workshops (1,2,15)
	Working in shops, restaurants, and bakeries (3)
	Domestic work (3,10,14)
	Transporting goods (2,10,17)
	Collecting scrap metal, cement bricks, and solid waste† (8,10,12)
Scavenging garbage, steel, and gravel at trash pits (14,16,18,19)	
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including smuggling drugs and food (2,3,20)
	Begging as a result of human trafficking (12,21)
	Commercial sexual exploitation (12,22)
	Recruitment of children by non-state armed groups for use in armed conflict (23)

† 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.

West Bank and the Gaza Strip

MINIMAL ADVANCEMENT

Children are vulnerable to child labor in the agricultural sector, partly because the Palestinian Authority (PA) does not have jurisdiction or the resources to enforce laws in Area C’s agricultural fields and Israeli settlements in the West Bank. (3,8,9,20) West Bank Palestinian girls are vulnerable to sex and labor trafficking in Israel after family members force them into marriages with older men; these girls experience physical and sexual abuse, threats of violence, and restricted movement. (22)

In the Gaza Strip, many school structures that were damaged, destroyed, or repurposed during the war of 2014 have not been repaired or replaced. (3) Most schools in the Gaza Strip work on a double-shift schedule, limiting class time to only 4 hours each day. (24,25) In the West Bank and the Gaza Strip, violence perpetrated by Palestinians and Israeli settlers, military operations that have impacted schools in session, delays at checkpoints, and school closures hinder children’s access to schools. (26-32) Schools are overcrowded, poorly equipped, and, at times, unhygienic or susceptible to weather conditions. (33,34) Violence and discrimination by teachers against students who work, as well as the cost of transportation, contribute to a school dropout rate of 16 percent. (10,35,36) According to Save the Children, in 2018 there were at least 78 incidences of school-related violence in the West Bank, affecting more than 26,000 children, and 4 schools were demolished, further limiting access to education. (37)

II. Legal Framework for Child Labor

The PA has Non-Member Observer status at the UN. In April 2014, PA officials presented letters of accession to 15 UN treaties to UN officials, including the UN CRC and its Optional Protocol on the Involvement of Children in Armed Conflict. In December 2017, PA officials acceded to the Palermo Protocol on Trafficking in Persons and the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	N/A
ILO C. 182, Worst Forms of Child Labor	N/A
 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 penal code applicable to the West Bank is Jordanian Law No. 16 of 1960 (Jordanian Penal Code for the West Bank). The penal code applicable to Gaza is Penal Code No. 74 of 1936, which was enacted during the British Mandate (Penal Code for Gaza). (38) The PA has established laws and regulations related to child labor (Table 4). However, gaps exist in the West Bank and the Gaza Strip’s legal framework to adequately protect children from the worst forms of child labor, including child trafficking.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 93 of the Labor Law for the West Bank and the Gaza Strip; Article 14 of the Palestinian Child Law for the West Bank and the Gaza Strip (39,40)
Minimum Age for Hazardous Work	Yes	18	Article 95 of the Labor Law for the West Bank and the Gaza Strip (40)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Minister of Labor’s Decree on Hazardous Work for the West Bank and the Gaza Strip (41)

West Bank and the Gaza Strip

MINIMAL ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	No		Article 1 of Minister of Labor's Decree on Hazardous Work for the West Bank and the Gaza Strip (41)
Prohibition of Child Trafficking	No		Article 1 of Minister of Labor's Decree on Hazardous Work for the West Bank and the Gaza Strip (41)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 36 of the Palestinian Child Law for the West Bank and the Gaza Strip; Articles 306 and 310 of the Jordanian Penal Code for the West Bank; Articles 165 and 167 of the Penal Code for the Gaza Strip (39,42,43)
Prohibition of Using Children in Illicit Activities	Yes		Articles 27 and 44 of the Palestinian Child Law for the West Bank and the Gaza Strip; Article 389 of the Jordanian Penal Code for the West Bank; Article 193 of the Penal Code for the Gaza Strip (39,42,43)
Minimum Age for Voluntary State Military Recruitment	Yes†	18	Article 46 of the Palestinian Child Law for the West Bank and the Gaza Strip (39)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 46 of the Palestinian Child Law for the West Bank and the Gaza Strip (39)
Compulsory Education Age	Yes	16	Articles 3, 15, and 18 of the Palestinian Education Act for the West Bank and the Gaza Strip (44)
Free Public Education	Yes		Article 37 of the Palestinian Child Law for the West Bank and the Gaza Strip (39)

* No conscription in the West Bank and the Gaza Strip (20)

† No standing military in the West Bank (20)

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.

Although human trafficking and forced labor are on the hazardous work list, the law does not criminally prohibit child trafficking or forced labor in accordance with international standards. (40,41) The law does not sufficiently prohibit commercial sexual exploitation, because the use of children in prostitution and the use, procurement, or offering of children for pornographic performances are not criminally prohibited. (43) There are no criminal penalties for recruiting children into non-state armed groups. (39)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The PA has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministry of Labor that may hinder effective enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL), Labor Inspection Office	Enforces labor laws, including those related to child labor. (45)
Ministry of Social Affairs (MOSA), Child Protection Department	Protects children's rights, including through the provision of services to children found involved in the worst forms of child labor. (46)
Police	Investigates violations of criminal laws, including the commercial sexual exploitation of children. (46)
Office of the Attorney General	Prosecutes cases of child exploitation, including child labor. (46)

In the West Bank, under the terms of the Oslo-era agreements between the Palestine Liberation Organization and the Israeli Government, the PA has civil law jurisdiction in the areas of the West Bank designated Area A and Area B, which represent approximately 39 percent of the West Bank's land area and contain approximately

West Bank and the Gaza Strip

MINIMAL ADVANCEMENT

94 percent of the Palestinian population. The Israeli Government has full administrative and security control over the city of Jerusalem and Area C; the latter represents 61 percent of the West Bank's land area and approximately 6 percent of the Palestinian population, as well as the vast majority of the West Bank's agricultural areas. (47-50) Although PA laws ostensibly apply to both the West Bank and the Gaza Strip, the PA had limited means to enforce compliance in Area C of the West Bank as well as in the Gaza Strip, where Hamas exercises de facto control and does not enforce PA laws and regulations. (48,50)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in the West Bank took actions to combat child labor (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	Unknown	Unknown
Inspectorate Authorized to Assess Penalties	No (2)	No (2)
Initial Training for New Labor Inspectors	Unknown	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Unknown
Number of Labor Inspections Conducted	Unknown	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Unknown	Unknown
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Yes (51)	Yes (51)
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Yes (12)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (12)

In previous years, the Ministry of Labor reported that it was unable to inspect as many businesses per year as required by the Labor Law, due to insufficient funding. (3,12)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in the West Bank took actions to combat child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Unknown
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (12)

PA officials previously stated that insufficient resources hampered their capacity to enforce criminal laws related to the worst forms of child labor. (3)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The PA 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 the efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
National Committee on Child Labor	Intends to create national policy on child labor. Led by the MOL and includes representatives from four other ministries, as well as international organizations. (17) Research was unable to determine which activities were conducted by the National Committee on Child Labor during the reporting period.
MOSA Child Protection Networks	Coordinates at the district level among service providers, law enforcement, and the Attorney General to protect vulnerable children, including those involved in child labor. Composed of MOSA, other Palestinian Authority agencies, and international organizations. (46) The role of some agencies is to provide services to vulnerable children; others ensure that crimes against children are prosecuted in accordance with the law. (46) In 2018, Child Protection Networks cooperated with UNICEF to provide children with protection interventions, such as life skills trainings. (52)

V. GOVERNMENT POLICIES ON CHILD LABOR

Research found no evidence that the PA has established policies to address child labor.

The National Policy Agenda (2017–2022) aims to alleviate poverty through social programs for vulnerable groups and job creation programs for women and youth, improve primary and secondary school curricula, ensure equal access to education for marginalized areas, and ensure that technical and vocational training is aligned with labor market needs. (53) However, child labor elimination and prevention strategies do not appear to have been integrated into this policy.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the PA funded and participated in programs that include the goal of eliminating or preventing child labor (Table 9). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 9. Key Social Programs to Address Child Labor

Program	Description
PA Vocational Centers†	PA program in the West Bank, consisting of 13 vocational centers operated by MOL, and 2 operated by MOSA for children over 15 who have dropped out of school. (46,54) Research was unable to determine what steps were taken in 2018 in the implementation of this program.
UN Education Programs	UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) programs that provide educational support for children and youth in refugee camps, as well as microfinance and other forms of support to families in the West Bank and the Gaza Strip. (55) In 2018, UNICEF and its partners distributed emergency stationary and school bags to more than 14,700 students in Gaza and provided remedial education to more than 57,000 students at risk of dropping out, with the objective of helping them catch up with their peers. UNICEF also provided more than 5,900 students and 178 teachers with protective presence on their way to and from school in vulnerable areas. (56) In addition, UNICEF trained 688 teachers and school counselors and about 400 school principals on positive discipline, and trained 900 students on peer mediation to report and mitigate violence at schools. (57) UNRWA operated schools in Gaza, providing education to 280,000 children in 2018. (58)

† Program is funded by the PA.

During the reporting period, the Ministry of Education and Higher Education continued the seventh, eighth, and ninth grade vocational training classes that were launched in 2017. The Ministry also improved training and increased wages for teachers, and began building more classrooms and equipping them with digital facilities to improve learning at schools. (59)

Although there are programs in the West Bank and the Gaza Strip that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including in construction, street work, illicit activities, and agriculture.

West Bank and the Gaza Strip

MINIMAL ADVANCEMENT

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 the West Bank (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018
	Ensure that the law criminally prohibits all stages of child trafficking, including trafficking for forced labor and commercial sexual exploitation, and both domestic and international trafficking, in accordance with international standards.	2015 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2018
	Ensure that slavery and practices similar to slavery, including forced labor, are criminally prohibited.	2017 – 2018
	Ensure that the use, procurement, and offering of children for all forms of commercial sexual exploitation are criminally prohibited.	2017 – 2018
Enforcement	Ensure that child labor laws are enforced in the Gaza Strip.	2010 – 2018
	Publish information on the labor and criminal enforcement of child labor laws, including the amount of funding, the number of labor inspectors, the number and type of inspections, the training provided to inspectors and investigators, the number of child labor violations, and penalties issued and collected, as well as the number of investigations, prosecutions, and convictions.	2010 – 2018
	Authorize the labor inspectorate to assess penalties.	2016 – 2018
	Provide further resources and staff to the Ministry of Labor and the Ministry of Social Affairs to conduct labor inspections and criminal investigations.	2010 – 2018
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2017 – 2018
Government Policies	Integrate child labor elimination and prevention strategies into the National Policy Agenda and ensure that it is implemented.	2017 – 2018
Social Programs	Expand programs to improve access to education; for example, through ensuring that children are not subject to violence and that schools are weather-proof and provided with necessary equipment and hygienic facilities.	2011 – 2018
	Ensure that Ministry of Social Affairs social programs are implemented.	2017 – 2018
	Expand programs to further address child labor, specifically in construction, street work, illicit activities, and agriculture.	2010 – 2018

REFERENCES

- Salem, Mohammed, and Nidal al-Mughrabi. Child labour in Gaza. Reuters. March 31, 2016. <https://widerimage.reuters.com/story/child-labour-in-gaza>.
- ILO. Child Labor and Protection in the Occupied Palestinian Territory. 2014: Policy Brief. http://www.ilo.org/beirut/information-resources/factsheets/WCMS_236940/lang--en/index.htm.
- U.S. Consulate General- Jerusalem. Reporting. March 31, 2017.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Kashti, Or. A Day in the Life of a Palestinian Child Laborer. Haaretz, June 13, 2015. <http://www.haaretz.com/israel-news/premium-1.660900>.
- Surrusco, Matt. Palestine: Child Laboring. World Policy Journal 31, no.1, March 2014. Source on file.
- Shuttleworth, Kate. Gaza’s children forced to work for a pittance amid war-torn ruins; After three wars in six years, Gaza has the world’s highest unemployment rate, and children from families in dire poverty are sent out to work in the rubble. London: The Guardian, December 23, 2016. Source on file.
- Vickery, Matthew. Child labour: Palestinian teenagers ‘work for \$18 per day’ on Israeli settlements. New York: International Business Times, March 14, 2016. <http://www.ibtimes.co.uk/child-labour-palestinian-teenagers-work-18-per-day-west-bank-israeli-settlements-1549361>.
- Terre des Hommes. Child Protection Rapid Assessment Report. 2018. https://childhub.org/en/system/tdf/library/attachments/final_child_protection_study.pdf?file=1&type=node&id=29806.
- Defense for Child International - Palestine. Gaza’s children go to work in fishing boats (Part 2). September 14, 2016. http://www.dci-palestine.org/gaza_s_children_go_to_work_in_fishing_boats_part_2.
- U.S. Consulate General- Jerusalem. Reporting. January 22, 2016.
- Shawish, Abeer and Catherine Weibel. Poverty drives child labour in Gaza. UNICEF, July 20, 2017. https://www.unicef.org/infobycountry/oPt_97039.html.
- Eskafi, Najlaa. Gaza’s child laborers find their way back to school. Al-Monitor, July 2, 2017. Source on file.

West Bank and the Gaza Strip

MINIMAL ADVANCEMENT

- 15 Omer, Mohammed. Long hours on meagre wages: Child labour increases in Gaza. April 24, 2015.
<https://www.middleeasteye.net/news/long-hours-meagre-wages-child-labour-increases-gaza>.
- 16 The Palestine Monitor. Why is child labour on the rise in Gaza? Palestine Monitor, June 4, 2017.
<http://www.palestinemonitor.org/details.php?id=5o2poqa1582Byqs8zdm67k>.
- 17 U.S. Consulate General- Jerusalem. Reporting. February 6, 2014.
- 18 Othman, Mohammed. Gaza's poor rummage through garbage for food. Al-Monitor, June 18, 2014. Source on file.
- 19 Defense for Child International - Palestine. Gaza's children go to work in trash pits (Part 1). September 7, 2016.
http://www.dci-palestine.org/gaza_s_children_go_to_work_in_trash_pits_part_1.
- 20 U.S. Consulate General- Jerusalem official. Email communication to USDOL official. May 9, 2015.
- 21 U.S. Embassy- Tel Aviv. Reporting. March 20, 2017.
- 22 U.S. Department of State. Trafficking in Persons Report- 2019: Israel. Washington, DC. June 20, 2019.
<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/israel/>.
- 23 UN. Reporting. 2018.
- 24 UNICEF. Leaving Gaza for The First Time in Their Lives. July 27, 2017.
https://www.unicef.org/oPt/media_12192.html.
- 25 UN. Gaza: Ten Years Later. July 2017.
https://unsco.unmissions.org/sites/default/files/gaza_10_years_later_-_11_july_2017.pdf.
- 26 Vickery, Matthew. Children of Hebron: 'Everyone is afraid'. Al-Jazeera, November 10, 2015.
<http://www.aljazeera.com/news/2015/11/children-hebron-afraid-151109133313840.html>.
- 27 Al-Jazeera. Teacher films Israeli raid on West Bank primary school. October 27, 2015.
<http://www.aljazeera.com/news/2015/10/teacher-films-israeli-raid-west-bank-primary-school-151027184226595.html>.
- 28 MA'AN Development Center. Attacks on Education: A Focus on 10 Schools in Area C. 2015.
<http://www.maan-ctr.org/files/server/Publications/FactSheets/AoEducation.pdf>.
- 29 UNRWA. Schools on the front line: the impact of armed conflict and violence on UNRWA schools and education services. East Jerusalem: 2016.
http://www.unrwa.org/sites/default/files/content/resources/schools_on_the_front_line.pdf.
- 30 UN Special Representative of the Secretary-General. Children and Armed Conflict: Report of the Secretary-General. Report No. S/2017/821. August 24, 2017.
http://www.un.org/ga/search/view_doc.asp?symbol=S/2017/821.
- 31 Ma'an News Agency. NGO: Palestinian territory facing 'worsening child protection crisis'. August 17, 2017.
<http://www.maannews.com/Content.aspx?id=778725>.
- 32 UN Committee on the Elimination of Discrimination against Women. Consideration of reports submitted by States parties under article 18 of the Convention pursuant to the simplified reporting procedure: State of Palestine: CEDAW/C/PSE/1. May 24, 2017.
http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/PSE/1&Lang=en.
- 33 Abou Jalal, Rasha. Gaza war leaves students with ruined classrooms. Al-Monitor, November 22, 2014. Source on file.
- 34 Abrahams, Fred. Dispatches: Dreading School in Gaza. Human Rights Watch, July 9, 2015.
<https://www.hrw.org/news/2015/07/09/dispatches-dreading-school-gaza>.
- 35 UNICEF. Effects of the Palestinian National Cash Transfer Programme on children and adolescents: A mixed methods analysis. April 2014.
http://www.unicef.org/oPt/ODI_and_UNICEF_Palestinian_Cash_Transfer_Study.pdf.
- 36 UNICEF. Palestinian children and women in Jordan, Lebanon, the Syrian Arab Republic and the State of Palestine- Area programme document 2015-2016. 2014.
http://www.unicef.org/about/execboard/files/2014-PL7_Palestinian_children_and_women_APD-Final_approved-EN.pdf.
- 37 Save the Children. Education under threat as Al Khan Al Ahmar School set to be destroyed in the West Bank. July 4, 2018.
<https://www.savethechildren.net/article/education-under-threat-al-khan-al-ahmar-school-set-be-destroyed-west-bank>.
- 38 Law Library of Congress. West Bank and Gaza: Child Labor Laws, Report No. 003857. 2010. Source on file.
- 39 Palestinian National Authority. Palestinian Child Law No. 7 of 2004 as amended. Enacted: 2012. Source on file.
- 40 Palestinian National Authority. Labor Law No. (7) of 2000. Enacted: 2000. Source on file.
- 41 Palestinian National Authority. Minister of Labor's Decree No. 1 of 2004 on hazardous activities and industries or those harmful to health in which minors are not allowed to work. Enacted: 2004. Source on file.
- 42 High Commissioner for Palestine (British Mandate). Penal Code No. 74 of 1936. Enacted: 1936. Source on file.
- 43 Government of Jordan. Penal Code, Law No 16 of 1960. Enacted: 1960. Source on file.
- 44 Palestinian National Authority. Education Act No. 1 of 2013. Enacted: February 10, 2013. Source on file.
- 45 U.S. Consulate General- Jerusalem. Reporting. January 20, 2015.
- 46 Palestinian National Authority. The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory. London: The Palestinian Central Bureau of Statistics and Save the Children UK, December 2010. Source on file.
- 47 U.S. Consulate General- Jerusalem official. Email communication to USDOL official. June 2, 2016.
- 48 U.S. Department of State. Country Reports on Human Rights Practices- 2016: Israel and the Occupied Territories. Washington, DC: March 3, 2017.
<https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/israel-and-the-occupied-territories/>.
- 49 U.S. Consulate General- Jerusalem official. Email communication to USDOL official. May 9, 2017.
- 50 U.S. Embassy Kabul official. Email communication to USDOL official. July 10, 2019.
- 51 ILO. Labour inspection in Arab states: progress and challenges. December 5, 2014. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
http://www.ilo.org/beirut/publications/WCMS_325618/lang--en/index.htm.
- 52 UNICEF. State of Palestine: Humanitarian Situation Report (January - March) 2018.
https://www.unicef.org/appeals/files/UNICEF_State_of_Palestine_Humanitarian_Sitrep_March_2018.pdf.
- 53 Palestinian Authority. National Policy Agenda. December 2016.
http://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/palestine_draft_final_npa.pdf.
- 54 World Bank. Disability in the Palestinian Territories: Assessing Situation and Services for People with Disabilities (PWD). April 11, 2016.
<http://documents.worldbank.org/curated/en/501421472239948627/West-Bank-and-Gaza-Disability-in-the-Palestinian-territories-assessing-situation-and-services-for-people-with-disabilities>.

West Bank and the Gaza Strip

MINIMAL ADVANCEMENT

- 55 UNRWA. Where we work. 2014.
<http://www.unrwa.org/where-we-work>.
- 56 UNICEF. State of Palestine: Humanitarian Situation Report (January - December 2018) January 20, 2019.
[https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF State of Palestine Humanitarian Situation Report - Year End 2018.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20State%20of%20Palestine%20Humanitarian%20Situation%20Report%20-%20Year%20End%202018.pdf).
- 57 UNICEF. State of Palestine: Humanitarian Situation Report (January - June 2018) 2018.
[https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF State of Palestine Humanitarian Situationn Report - Mid Year 2018.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20State%20of%20Palestine%20Humanitarian%20Situationn%20Report%20-%20Mid%20Year%202018.pdf).
- 58 UNRWA. Commissioner-General's Statement: Special Political and Decolonization Committee. November 14, 2018.
<https://www.unrwa.org/newsroom/official-statements/commissioner-general's-statement-special-political-and-decolonization>.
- 59 Daraghmeh, Mohammed. Palestinian schools strive to modernize classrooms. Associated Press. September 19, 2018.
<https://www.apnews.com/8c471811f539435e99d09db7d298bbd7>.

In 2018, Morocco made a moderate advancement in efforts to eliminate the worst forms of child labor. The Kingdom of Morocco claims the territory of Western Sahara and administers the area that it controls by the same constitution, laws, and structures as in internationally-recognized Morocco, including laws that deal with child labor. The government published information on criminal and labor law enforcement efforts, in addition to investigating and prosecuting criminal cases. Moreover, it continued to fund the Tayssir Conditional Cash Transfer Program, providing direct cash transfers to qualifying families whose children meet school attendance criteria, reaching more than 2 million students across both Morocco and Western Sahara in 2018. Limited research indicates that there is some evidence that children in Western Sahara engage in the worst forms of child labor, including in commercial sexual exploitation. Although the government made meaningful efforts in all relevant areas during the reporting period, laws related to the minimum age for work and the use of children for illicit activities do not meet international standards. In addition, research could not determine whether penalties were imposed for violations related to the worst forms of child labor. The scope of government programs that target child labor is insufficient to fully address the extent of the problem.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Limited research indicates that there is some evidence that children in Western Sahara engage in the worst forms of child labor, including in commercial sexual exploitation. Commercial sexual exploitation of migrant girls occurs and is reportedly more prevalent in fishing villages and on fishing boats. (1) Children, particularly in rural areas, are vulnerable to child labor due to educational barriers similar to those faced in internationally-recognized Morocco, such as insufficient facilities, lack of reliable and safe transportation, and unqualified teachers. (1-4) In general, research has not been conducted to determine the extent of child labor in Western Sahara, nor has research explored levels of education as they relate to children engaged in child labor in Western Sahara. Data on key indicators of children’s work and education are not available from the sources used in this report. (5)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Moroccan-controlled portion of the territory of Western Sahara is subject to the same laws as internationally-recognized Morocco. (4,6-9) The Popular Front for the Liberation of the *Saguia el-Hamra and Río de Oro* (Polisario Front), an organization that seeks the territory’s independence, controls the remaining territory; information on the laws applicable in the remaining portion of the territory is unavailable. (3,4,9-11) Morocco has ratified all key international conventions concerning child labor, which the Government of Morocco extends to the areas in Western Sahara that it controls (Table 1).

Table 1. 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 of Morocco has established laws and regulations related to child labor (Table 2). However, gaps exist in Morocco’s legal framework to adequately protect children from the worst forms of child labor, including with the prohibition of using children in illicit activities.

Western Sahara

MODERATE ADVANCEMENT

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 143 of the Labor Code (12)
Minimum Age for Hazardous Work	Yes	18	Articles 147 and 181 of the Labor Code (12)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Child Labor List, Decree No. 2-10-183; Article 181 of the Labor Code (12,13)
Prohibition of Forced Labor	Yes		Article 10 of the Labor Code (12)
Prohibition of Child Trafficking	Yes		Articles 448.1, 448.4, and 448.5 of the Law on Trafficking in Human Beings (14)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 503 of the Penal Code (15)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 4 of Royal Decree of 9 June 1966 (16)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes	19	Article 4 of Law No. 44-18 (17)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (14)
Compulsory Education Age	Yes	15	Article 1 of Law No. 04-00 (18)
Free Public Education	Yes		Article 1 of Law No. 04-00 (18)

Following the passage of the Law on Setting Up Employment Conditions of Domestic Workers in 2016, the law entered into force on October 2, 2018; however, despite regulations to inform agencies on implementing the law, there remain enforcement issues, such as the inability of labor inspectors to inspect closed private residences, where many domestic workers are employed. (4,8) In 2018, the government drafted legislation to enhance enforcement abilities in the artisanal sector, specifically allowing labor inspectors to enter into private workshops employing any number of employees. (19,20) In addition, in 2018, the government instated military conscription for the national armed forces with an age of 19. (11,21)

However, the law does not provide explicit protections for self-employed children, those who work in the traditional artisan or handicraft sectors for businesses with fewer than five employees, or those who work on private farms and in residences. Despite assurances from the Government of Morocco that inspectors may inspect in the case of any established labor relationship, often verified through witnesses in the absence of contracts, there is an absence of explicit legal protections that conform to international standards requiring all children to be protected under the law establishing a minimum age for work. (9,12,20,22-24) The types of hazardous work prohibited for children do not fully cover sectors in which child labor is known to occur or sectors in which work may occur under conditions that harm children's health, safety, and morals. (13) Moroccan law does not define using, procuring, and offering children for either the production and trafficking of drugs as a separate crime, nor does it provide for increased penalties in such cases. (8,25)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The Government of Morocco has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 3). Information about labor law and criminal law enforcement in Western Sahara is unavailable.

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Vocational Integration (MOLVI)	Enforces child labor laws and oversees programs on child labor through its child labor task force. (19,22,25,26) Provides occupational health and safety services, administers social security, and organizes labor inspections and employment services through nationwide satellite offices. (26)

Table 3. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Ministry of the Interior	Enforces prohibitions on human trafficking, commercial sexual exploitation, and other exploitative crimes involving minors, as established in the Penal Code, through the General Directorate of National Security (DGSN). (4,19,22)
General Prosecutor	Prosecutes criminal offenses against children and processes cases involving women and children within the court system through the Child Labor Units. (3,4,19)
Ministry of Solidarity, Women, Family, and Social Development (MSWFSD)	Ensures continuity of child protection and child labor elimination efforts and expands children's access to education. (27) Implements the Integrated Public Policy on the Protection of Children. (22,28) Supports 142 Child Reception Centers that provide services to child victims of violence. (25)
Ministry of Foreign Affairs and International Cooperation	Coordinates efforts to reduce migrant vulnerability to child labor through its Delegate Ministry in Charge of Moroccans Living Abroad and Migration Affairs. Promotes migrant children's access to public education facilities in addition to other social services and assistance. (3,26,29)
Ministry of National Education, Vocational Training, Higher Education, and Scientific Research	Provides education and job training to former child workers, including former child domestic workers and migrant youth. (22,25)

In 2018, the Office of the General Prosecutor selected two prosecutors from the court of appeals in Laayoune as responsible for handling human trafficking cases. (11,19)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The Government of Morocco has established mechanisms to coordinate its efforts to address child labor (Table 4).

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Technical Committee Under the Special Ministerial Commission for the Protection and Improvement of Childhood	Ensures inter-sectoral coordination and monitoring of the implementation of international conventions on children's issues through a committee of 25 government bodies, chaired by the Head of the Government of Morocco. Establishes strategies and mechanisms to implement national policies and plans in the area of child protection and in coordination efforts managed primarily at the local and regional levels. (25,30) In 2018, the committee met twice to coordinate inter-agency policies and programs, and to create an action plan for 2019. (4)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 5).

Table 5. Key Policies Related to Child Labor

Policy	Description
MSWFSD's Integrated Public Policy on the Protection of Children in Morocco (PPIPEM)	Promotes an interdisciplinary approach to respond to child exploitation, among other issues. (22,26,28,30) Stakeholders in the PPIEM confirmed that formal meetings for review and discussion of progress related to the policy were held during the reporting period. (20)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the Government of Morocco funded and participated in programs that include the goal of eliminating or preventing child labor, which extended to Western Sahara (Table 6). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors, particularly with children who are victims of commercial sexual exploitation.

Table 6. Key Social Programs to Address Child Labor

Program	Description
Taysir Conditional Cash Transfer Program†	MSWFSD program that provides direct cash transfers to qualifying families whose children meet school attendance criteria, aiming to increase school enrollment and reduce dropout rates, particularly in rural areas, with 832,500 project participants in 2015–2016 and 509,475 in 2016–2017. (4,9,26,28,31-33) In 2018, the program provided assistance to 2,087,200 students from low-income families. (4)

† Program is funded by the Government of Morocco.

‡ The Government of Morocco had other social programs that may have included the goal of eliminating or preventing child labor. (3,8,26,31,32,34)

Western Sahara

MODERATE ADVANCEMENT

In 2018, the Government of Morocco continued a regularization campaign to provide legal status and documentation to foreign migrants. (19) Although the government has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including with regard to children who are victims of commercial sexual exploitation. (3,8,26,35)

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 Western Sahara (Table 7).

Table 7. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit children from being used, procured, or offered in illicit activities, including for the production and trafficking of drugs.	2014 – 2018
	Ensure that all children are protected by law, including children who are self-employed, work for artisan and handicraft businesses with fewer than five employees, or work on private farms and in residences.	2017 – 2018
	Ensure that the types of hazardous work prohibited for children under 18 are comprehensive, including work that may be undertaken in conditions that harm children's health, safety, and morals.	2016 – 2018
Social Programs	Conduct a comprehensive study of children's work activities to determine whether they are engaged in or at risk of becoming involved in child labor, and determine the number of child laborers and education levels.	2013 – 2018
	Remove barriers to rural children's ability to access educational opportunities.	2015 – 2018
	Expand existing programs to address the scope of the child labor problem, including child victims of commercial sexual exploitation.	2017 – 2018

REFERENCES

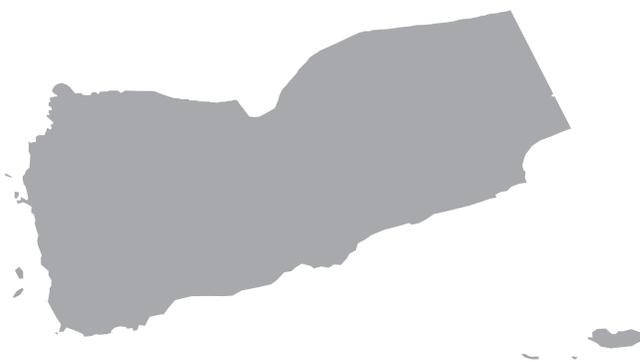
- UN Human Rights Council. Report of the Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo: Visit to Morocco. Geneva: UN Human Rights Council, April 1, 2014: A/HRC/26/37/Add.3. http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Documents/A-HRC-26-37-Add3_en.doc.
- UN Committee on Economic Social and Cultural Rights. Concluding observations on the fourth periodic report of Morocco. Geneva: October 22, 2015: E/C.12/MAR/CO/4. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/MAR/CO/4&Lang=En.
- U.S. Consulate- Casablanca. Reporting, February 12, 2018.
- U.S. Consulate- Casablanca. Reporting, February 8, 2019.
- UCW. Analysis of Child Economic Activity and School Attendance Statistics From National Household or Child Labor Surveys. Analysis received January 12, 2018. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Human Rights Watch. World Report 2014: Morocco/Western Sahara. New York: 2014. <http://www.hrw.org/world-report/2014/country-chapters/moroccowestern-sahara>.
- Kouddous, Sharif Abdel. Letter From Western Sahara, a Land Under Occupation. The Nation, November 4, 2013. <http://www.thenation.com/article/176968/letter-western-sahara-land-under-occupation#>.
- U.S. Consulate- Casablanca. Reporting, January 17, 2017.
- U.S. Department of State. Country Reports on Human Rights Practices-2018: Western Sahara. Washington, DC. March 14, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/western-sahara/>
- CIA. The World Factbook. Accessed March 9, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/geos/wi.html>.
- U.S. Consulate- Casablanca official. Email communication to USDOL official. July 15, 2019.
- Government of Morocco. Dahir n° 1-03-194 du 14 rejev 1424 (11 septembre 2003) portant promulgation de la loi n° 65-99 relative au code du travail, No. 1-03-194. Enacted: 2003. <http://www.ilo.org/dyn/travail/docs/450/Maroc - Code travail.pdf>.
- Government of Morocco. Décret n° 2-10-183 du 9 hija 1431 (16 novembre 2010) fixant la liste des travaux auxquels il est interdit d'occuper certaines catégories de personnes, No. 2-10-183. Enacted: November 16, 2010. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=86187.
- Government of Morocco. Loi n° 27-14 relative à la lutte contre la traite des êtres humains, No. 27-14. Enacted: 2016. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/103357/125489/F1582466313/MAR-103357.pdf>.
- Government of Morocco. Code Penal. Enacted: November 26, 1962. http://www.wipo.int/wipolex/en/text.jsp?file_id=190447.
- Government of Morocco. Décret royal n° 137-66 du 20 safar 1386 (9 juin 1966) portant loi relatif à l'institution et à l'organisation du service militaire. Enacted: June 9, 1966. <http://adala.justice.gov.ma/production/html/Fr/93248.htm>.
- Government of Morocco. Law No. 44-18. Enacted: 2018. Source on file.
- Government of Morocco. Loi n° 04-00 modifiant et complétant le dahir n°1-63-071 du 25 jourmada II 1383 (13 novembre 1963) relatif à l'obligation de l'enseignement fondamental, No. 04-00. Enacted: 2000. [Source on file].
- U.S. Consulate- Casablanca. Reporting, March 4, 2019.
- U.S. Consulate- Casablanca. Reporting, May 20, 2019.

- 21 Government of Morocco. Law N° 44-18. Enacted: 2018. Source on file.
- 22 U.S. Consulate- Casablanca. Trafficking in Persons reporting, January 28, 2016.
- 23 ILO Committee of Experts. Individual Direct Request Concerning Minimum Age Convention, 1973 (No. 138) Morocco (Ratification: 2000) Published: 2016. Accessed: November 8, 2016. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3245258.
- 24 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Morocco. Washington, DC March 14, 2019 <https://www.state.gov/documents/organization/289466.pdf>.
- 25 U.S. Consulate Casablanca official. Email communication to USDOL official. June 6, 2017.
- 26 U.S. Consulate- Casablanca. Reporting, January 15, 2015.
- 27 Embassy of Morocco Washington, DC official. Fax communication to USDOL official. March 9, 2014.
- 28 Government of Morocco. Données relatives au questionnaire du département d'Etat Américain sur la traite des êtres humains et le travail des enfants au titre de l'année 2014 et 2015. Submitted in response to U.S. Department of Labor Federal Register Notice (October 27, 2015) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." February 17, 2016. [Source on file].
- 29 U.S. Consulate- Casablanca. Trafficking in Persons reporting, February 15, 2015.
- 30 Government of Morocco. Politique Publique Intégrée de Protection de l'Enfance 2015–2025 Ministère de la Solidarité de la Femme de la Famille et du Développement Social. 2016. http://www.social.gov.ma/sites/default/files/PPIPEM_fr_280316_0.pdf.
- 31 U.S. Consulate- Casablanca. Reporting, January 26, 2016.
- 32 Government of Morocco. Les éléments de réponse au questionnaire émanant de l'Ambassade des Etats-Unis d'Amérique. Submitted in response to U.S. Department of Labor Federal Register Notice (September 6, 2016) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." February 24, 2017. Source on file.
- 33 U.S. Consulate Casablanca official. Email communication to USDOL official. June 7, 2018.
- 34 U.S. Consulate- Casablanca. Reporting, January 16, 2014.
- 35 UNODC, IOM, and UNICEF. Global action to prevent and address trafficking in persons and the smuggling of migrants. UNODC, Accessed: December 22, 2016. <https://www.unodc.org/brussels/en/globalhumantrafficking.html>.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

In 2018, Yemen made a minimal advancement in efforts to eliminate the worst forms of child labor. The Republic of Yemen Government participated in UNICEF programs that provided educational and social services. However, despite initiatives to address child labor, Yemen is receiving this assessment because it continued to implement practices that delayed advancement in eliminating the worst forms of child labor. The government did not make efforts to combat chattel slavery by investigating and prosecuting cases, and it failed to make efforts to address discrimination in schools against children from the Muhamasheen

community, leading to their increased vulnerability to child labor. Furthermore, there is evidence of recruitment and use of children in hostilities by state armed forces in contravention of Yemeni law. Children in Yemen engage in the worst forms of child labor, including in commercial sexual exploitation and armed conflict. Children also engage in child labor in fishing. Due to the ongoing armed conflict, the internationally recognized Republic of Yemen Government worked to operationalize government ministries in its temporary capital, Aden, but was unable to provide sufficient demobilization and rehabilitation services to children who have been recruited and used by various groups engaged in armed conflict, or who have engaged in other worst forms of child labor. The rebel Houthi movement that controls a significant amount of territory in Yemen, including the occupation of Yemen's capital city, Sana'a, made no effort to address child labor concerns in areas under their control, and would not allow researchers access to survey the population on child labor indicators.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Yemen engage in the worst forms of child labor, including in commercial sexual exploitation and armed conflict. (1-5) Children also engage in child labor in fishing. (6-8) According to the 2010 National Child Labor Survey, most working children were in the agricultural and domestic work sectors. (6) Table I provides key indicators on children's work and education in Yemen.

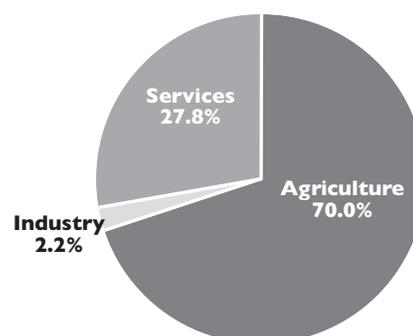
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	13.6 (834,866)
Attending School (%)	5 to 14	68.0
Combining Work and School (%)	7 to 14	10.3
Primary Completion Rate (%)		71.6

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (9)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labour Survey, 2010. (10)

Figure I. Working Children by Sector, Ages 7-14



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	Farming, † activities unknown (7, 11)
	Fishing, † activities unknown (6-8)
	Hunting, activities unknown (6)

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Quarrying† and mining† (6-8)
	Construction,† activities unknown (6)
	Working in carpentry† and welding† workshops (12,13)
Services	Street work, including selling items, begging, and scavenging garbage (6,14-18)
	Working in auto repair and mechanic shops† (7,8)
	Domestic work† (6,11)
	Selling goods in stores (6)
	Voluntarily recruited children used in hostilities by state armed groups (3,19-21,22)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,23,24)
	Use in illicit activities, including in drug trafficking (2,25)
	Recruitment of children by non-state armed groups for use in armed conflict (3-5,22,26-28,29)

† 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.

Protracted civil war in Yemen continued in 2018, a situation that the UN called the worst humanitarian crisis in the world. (31) As of December 2018, over 22 million Yemenis were in need of humanitarian assistance, including 18 million who were food insecure, 2 million of whom were children. (31-33) An additional 1.8 million children are severely malnourished. (33) Approximately 2 million Yemenis were internally displaced, half of them children, and an additional 1 million were internally displaced persons (IDPs) who were returning to their homes even though it was not yet safe. (32,34,35) Yemen was also home to approximately 280,000 refugees and asylum seekers, mostly from Somalia and Ethiopia. Over 20 percent of these refugees were children. (36) Vulnerable populations, including IDPs and refugees, were at increased risk of child labor and human trafficking. (37,38)

Various armed groups, including the Houthis or Houthi-affiliated militias, terrorist groups, and pro-government forces, recruited and used child soldiers to serve as fighters or checkpoint guards. In addition, the Yemeni Armed Forces recruited and used children, typically ages 15 to 17, for these same purposes in contravention of Yemeni law. (3-5,21,22,27-29) An international organization reported armed groups used both boys and girls in combat and to guard checkpoints and military facilities during the reporting period. This is largely due to endemic customs and culture in which tribal leaders arm children to participate in local militias that may support the government, back the Houthi movement, act as an anti-Houthi force, or be part of an unaligned tribal, local, or regional group that protects the respective village from rival tribes or other outsiders. (39) Limited evidence also points to recruitment of Yemeni and Sudanese children into the Coalition forces as a result of human trafficking. (30) Some child soldiers are subjected to sexual violence. (3,22) Armed groups provide financial incentives and *qat*, a mild narcotic that is legal in Yemen, for child recruitment, exacerbating the problem. (3,40,41)

There is evidence of chattel slavery, as children are owned, sold, and inherited as property particularly in Al Hajjah, Al Hudaydah, and Al Mahwit governorates. (2,26,42,43) Yemeni children, mostly boys who migrate to Sana’a, Aden, and Saudi Arabia, are engaged in forced labor for domestic work, begging, or work in small shops. (2,26) Moreover, reports indicate that commercial sexual exploitation of children has increased over the past several years. Girls are subjected to human trafficking for commercial sexual exploitation within Yemen in hotels and clubs located in Aden, Sana’a, Ta’iz, and other cities. (2,26)

There were 2,500 schools that were out of use, some partially or totally destroyed as a result of armed conflict, and some used as shelters. (44-46) According to UNICEF, more than 2 million children were unable to attend school. (44) Many families could not afford transportation costs to schools. (47) Approximately 75 percent of teachers in 11 governorates have not been paid since October 2016, disrupting the education of 3.7 million children. (34) The Republic of Yemen Government stated that Houthi forces have changed the school curricula in areas under their control to teach children about their ideology and have children attend militia events. (48)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

Among the *Muhamasheen* (“marginalized”) minority group, generally of African origin, illiteracy rates are high, and child labor in the form of begging is prevalent. This community also suffers from general poverty and severe societal discrimination, including in distribution of humanitarian aid. (14,49-51) They also make up a large proportion of people living as IDPs. (46,51) Many *Muhamasheen* children do not have birth certificates, which are required for enrollment in schools. They face harassment, bullying, and violence at school, are dismissed from school, or are asked to clean the bathrooms, leading some to drop out. (50,51) *Muhamasheen* boys are vulnerable to sexual violence by armed actors, particularly while they engage in child labor, even if they are not directly involved in armed conflict. (50)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Yemen has ratified most 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 Yemen’s legal framework to adequately protect children from the worst forms of child labor, including child trafficking.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 5 of Ministerial Order No. 11 of 2013 (52)
Minimum Age for Hazardous Work	Yes	18	Article 7 of Ministerial Order No. 11 of 2013 (52)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 7–8 and 15 of Ministerial Order No. 11 of 2013 (52)
Prohibition of Forced Labor	No		Articles 6(b) and 26 of Ministerial Order No. 11 of 2013; Article 248 of the Penal Code (52,53)
Prohibition of Child Trafficking	No		Article 26 of Ministerial Order No. 11 of 2013; Article 248 of the Penal Code (52,53)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 147 and 163 of the Child Rights Law; Article 279 of the Penal Code; Article 25 of Ministerial Order No. 11 (52-54)
Prohibition of Using Children in Illicit Activities	Yes		Section 24 of Ministerial Order No. 11 of 2013; Articles 148 and 162 of the Child Rights Law (52,54)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 149 of the Child Rights Law (54)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 6(b) of Ministerial Order No. 11 of 2013 (52)
Compulsory Education Age	Yes	15‡	Article 18 of the General Education Law (55)
Free Public Education	Yes		Article 87 of the Child Rights Law (54)

* No conscription (56)

‡ Age calculated based on available information

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

While Article 248 of the Penal Code criminalizes buying, selling, and dealing in human beings, the legal framework does not appear to prohibit forced labor.

The legal framework does not adequately prohibit using, procuring, or offering a child in pornography and pornographic performances, or using a child in prostitution.

Ministerial Order No. 11 of 2013 does not explicitly include all phases of child trafficking, such as harboring, transporting, and transferring children for exploitation. (52)

Research was unable to discover any law that criminally prohibits recruitment of children under 18 by non-state armed groups.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, research found no evidence that the Republic of Yemen Government's law enforcement agencies took actions to combat child labor, including its worst forms.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Affairs and Labor's Child Labor Unit	Enforces child labor laws, conducts inspections, informs the Ministry of the Interior of any violations, and refers children found during inspections to appropriate social services. (8)
Ministry of the Interior	Enforces child labor laws. Police departments within the Ministry of the Interior handle human trafficking investigations. (8)
Ministry of Justice	Enforces child labor laws; prosecutes and adjudicates child labor cases. (8)
Ministry of Human Rights, Ministry of Legal Affairs, Parliament, and the Social Fund for Development	Maintains supporting roles in combating child trafficking. (8)

The Republic of Yemen Government had limited operational control over its ministries and remained unable to enforce regulations. (7)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Yemen took actions to combat child labor during the reporting period.

According to the latest available information on this topic, in 2016, the Republic of Yemen Government was unable to enforce child labor laws due to the civil war. (7) Likewise, in 2016, no funding or training were provided for labor inspection, and there was no mechanism to receive child labor complaints. (7)

The Ministry of Social Affairs and Labor does not have the authority to enforce child labor laws in casual employment, farming, and domestic work. (57)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Yemen took actions to combat child labor.

According to the latest available information on this topic, in 2017, the Republic of Yemen Government did not take any proactive steps to investigate or prosecute the practice of chattel slavery. (26)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 6).

However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

Table 6. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee to Combat Child Labor	Coordinates child labor issues in Yemen. Comprises representatives from the Ministry of Social Affairs and Labor; other state agencies, ILO-IPEC, and local NGOs. (8) Research was unable to determine whether the National Steering Committee to Combat Child Labor was active during the reporting period.
National Network for Child Protection	Implements training programs and media awareness campaigns, and advocates for progress on children's issues. (8) Research was unable to determine whether the National Network for Child Protection was active during the reporting period.
Joint Technical Committee to Prevent Recruitment of Children in the Yemeni Armed Forces	Implements and monitors the Action Plan to End and Prevent the Recruitment of Children by the Yemeni Armed Forces. In 2018, the Minister for Human Rights became the chairperson of the Joint Committee, which began developing a roadmap for implementing the Action Plan. (58)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 7). However, policy gaps exist that hinder efforts to address child labor, including covering all worst forms of child labor.

Table 7. Key Policies Related to Child Labor‡

Policy	Description
Action Plan to End and Prevent the Recruitment of Children by the Yemeni Armed Forces	Ensures that national laws comply with international standards, prohibits the recruitment and use of children in armed forces, investigates allegations of violations, and facilitates UN access to monitor compliance. (59) The Republic of Yemen Government began developing a roadmap to implement this Action Plan. The government also began developing standard operating procedures on the release of children previously engaged in armed conflict. (58) The government took some action in criticizing or condemning the active and aggressive rebel recruitment of child soldiers, including public press statements, and expressed its commitment to properly address this crime; however, during the reporting period, militia forces—including some aligned with the legitimate government—continued to unlawfully recruit and use some child soldiers. Verified cases of the unlawful recruitment and use of child soldiers occurred with some familial knowledge or consent, and monetary and material support were utilized as incentives for joining the army, and to a lesser extent forced enrollment via abductions. (39)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (60,61)

Although the Republic of Yemen Government has adopted the Action Plan to End and Prevent the Recruitment of Children by the Yemeni Armed Forces, research found no evidence of a policy on other worst forms of child labor, such as commercial sexual exploitation and child trafficking.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government participated in programs that include the goal of eliminating child labor (Table 8). However, gaps exist in these social programs, including adequacy of services to address the full scope of the problem in all sectors.

Table 8. Key Social Programs to Address Child Labor

Program	Description
Child Protection Activities	UNICEF-funded programs designed to provide psychosocial support, including access to sports and arts, in community-based and mobile centers. (62) In 2018, UNICEF provided 4,055 teachers and social workers with training on psychosocial support. (34)
Educational Activities	UNICEF-funded programs conducted in cooperation with the Republic of Yemen Government that provide educational support activities and services. (62) In 2018, UNICEF secured \$70 million to provide cash incentives for 135,000 teachers who have not been paid in over 2 years. UNICEF and its partners also rehabilitated 18 schools and 218 school latrines, supporting access to education for over 204,000 children. (34) In areas in which schools were unavailable, UNICEF helped provide community based classes for over 7,700 children. Approximately 42,000 children received schools supplies and bags. (34)

In 2018, the Arab Coalition, particularly the government of Saudi Arabia, which backs the internationally recognized Republic of Yemen Government, operated four rehabilitation centers in areas under the control of the Republic of Yemen Government, including in the city of Marib, for children previously engaged in armed conflict. (27,41)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

Although the Republic of Yemen Government participates in programs that address child labor and access to education, the scope of these programs is insufficient to fully address the extent of the problem, particularly in commercial sexual exploitation, child soldiering, and fishing.

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 Yemen (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the Palermo Protocol on Trafficking in Persons.	2013 – 2018
	Ensure that forced labor and all phases of child trafficking are criminally prohibited.	2015 – 2018
	Ensure that the law is sufficiently comprehensive to prohibit using a child for prostitution and using, procuring, and offering a child for pornography and pornographic performances.	2015 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2018
Enforcement	Ensure that children under age 18 cannot join Yemeni Armed Forces and pro-government militias to engage in combat.	2018
	Ensure that the labor inspectorate has the capacity to enforce labor laws, including reestablishing a mechanism to receive child labor complaints.	2015 – 2018
	Proactively identify, investigate, and remedy cases of chattel slavery.	2018
	Ensure that labor inspectors have proper funding and training to conduct inspections.	2009 – 2018
	Ensure that authorities enforce minimum age protections in all sectors in which the worst forms of child labor are prevalent, including in agriculture and domestic work.	2009 – 2018
	Ensure that criminal law enforcement agencies enforce child labor laws.	2015 – 2018
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2017 – 2018
Government Policies	Implement the Action Plan to End and Prevent the Recruitment of Children by the Yemeni Armed Forces.	2009 – 2018
	Adopt a policy that addresses all relevant worst forms of child labor, such as commercial sexual exploitation and child trafficking.	2009 – 2018
Social Programs	Expand programs to improve children's equal access to education, particularly for child survivors of chattel slavery and child <i>Muhamasheen</i> .	2013 – 2018
	Institute a rehabilitation and reintegration program for children engaged in armed conflict and children involved in other worst forms of child labor, including in commercial sexual exploitation and fishing.	2011 – 2018

REFERENCES

- Al-Haj, Ahmed and Maggie Michael. Girls are increasingly being married off in war torn Yemen. The Associated Press, May 27, 2017. <https://www.apnews.com/54d03e90918e4dd3962a0537dca40118>.
- U.S. Department of State. Trafficking in Person Report - 2018: Special Case Yemen. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/yemen>
- Michael, Maggie. Children as young as 10 fight, kill and die in Yemen's war. Associated Press. December 19, 2018. <https://www.apnews.com/082c0b7b6253468e97da5ee0c3f43066>.
- U.S. Yemen Affairs Unit- Riyadh. Reporting. December 27, 2018.
- U.S. Yemen Affairs Unit- Jeddah. Reporting. October 25, 2018.
- ILO. Working Children in the Republic of Yemen: The Results of the 2010 National Child Labour Survey. Geneva: November 2012. <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=21355>.
- U.S. Yemen Affairs Unit- Jeddah. Reporting, January 24, 2017.
- U.S. Yemen Affairs Unit- Jeddah. Reporting, January 14, 2016.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from National Child Labour Survey, 2010. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- ILO. The twin challenges of child labour and youth employment in the Arab States: An overview. Geneva: January 27, 2016. http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_27702/lang-en/index.htm.
- Arab 24. Yemen: The Deteriorating Situation In Yemen Raises Child Labor Rates. August 3, 2017. <https://arab24.com/portal/index.php/arab24-stories/yemen/item/7371-yemen-the-deteriorating-situation-in-yemen-raises-child-labor-rates>.
- UNICEF. Falling Through the Cracks: The Children of Yemen. March 2017. http://files.unicef.org/yemen/Yemen2Years-children_falling_through_the_cracks.pdf.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

- 14 UN General Assembly- Human Rights Council. Situation of Human Rights in Yemen. September 7, 2015: A/HRC/30/31. <http://www.ohchr.org/EN/countries/MENARRegion/Pages/YEIndex.aspx>.
- 15 Al-Karimi, Khalid. Starving Yemenis resort to eating rubbish. Al Jazeera, January 8, 2017. <http://www.aljazeera.com/indepth/features/2017/01/starving-yemenis-resort-eating-rubbish-170102124800887.html>.
- 16 Middle East Monitor. Child labour in Yemen. January 23, 2017. <https://www.middleeastmonitor.com/20170123-child-labour-in-yemen/>.
- 17 Middle East Eye. Yemen war: Corruption stops food aid reaching us, say desperate families. January 6, 2018. http://www.middleeasteye.net/news/yemen-war-corruption-stops-food-aid-reaching-us-say-desperate-families-802764333?link_id=95&can_id=&source.
- 18 BBC. Yemen crisis: Why is there a war? December 18, 2018. <https://www.bbc.com/news/world-middle-east-29319423>.
- 19 Edroos, Faisal. Sealed with a kiss: Yemen's rivals agree to swap 16,000 prisoners. December 11, 2018. <https://www.aljazeera.com/news/2018/12/sealed-kiss-yemen-rivals-agree-swap-16000-prisoners-181211115436151.html>.
- 20 Kirkpatrick, David. On the Front Line of the Saudi War in Yemen: Child Soldiers from Darfur. December 28, 2018. <https://www.nytimes.com/2018/12/28/world/africa/saudi-sudan-yemen-child-fighters.html>.
- 21 UN. Reporting. 2018.
- 22 UN General Assembly. Children and Armed Conflict: Report of the Secretary-General A/73/907–S/2019/509. June 20, 2019. https://www.un.org/ga/search/view_doc.asp?symbol=S/2019/509&Lang=E&Area=UNDOC.
- 23 HRV. Yemen: Free Captive Children. Beirut: June 2, 2016. <https://www.hrv.org/print/290517>.
- 24 Shakdam, Catherine. The sex trade in Yemen: How Al-Qaeda makes millions by trafficking children. The Duran, September 11, 2016. <http://theduran.com/sex-trade-yemen-al-qaeda-makes-millions-trafficking-children/>.
- 25 IOM. Protecting Children in Yemen. April 27, 2017. <https://weblog.iom.int/protecting-children-yemen>.
- 26 U.S. Department of State. Trafficking in Person Report - 2017: Special Case Yemen. Washington, DC: June 2017. <https://www.state.gov/reports/2017-trafficking-in-persons-report/yemen>.
- 27 Al Arabiya Coalition returns 15 Houthi child soldiers to Yemen govt after rehabilitation. November 27, 2018. <http://english.alarabiya.net/en/News/gulf/2018/11/27/Coalition-returns-15-Houthi-child-soldiers-to-Yemen-govt-after-rehabilitation.html>.
- 28 Seligman, Lara. Starvation and Child Soldiers: On the Ground in Yemen. October 9, 2018. <https://foreignpolicy.com/2018/10/09/starvation-and-child-soldiers-in-yemen/>.
- 29 U.S. Department of State. Trafficking in Persons Report: Yemen. Washington, DC: June 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/yemen/>.
- 30 Al Jazeera. Yemeni child soldiers recruited by Saudi-UAE coalition. April 1, 2019. <https://www.aljazeera.com/news/middleeast/2019/03/exclusive-yemeni-child-soldiers-recruited-saudi-uae-coalition-190329132329547.html>.
- 31 UN News. Yemen. December 6, 2018. <https://news.un.org/en/focus/yemen>.
- 32 UNHCR. Yemen: Operational Update. December 21, 2018. https://reliefweb.int/sites/reliefweb.int/files/resources/Yemen_EXTERNAL_Operational_Update_2018-12-21_rev2.pdf.
- 33 Ziariaris, Simone. What does it take to protect Yemen's children? UNICEF. November 10, 2018. <https://www.unicef.org.au/blog/unicef-in-action/october-2018/this-is-what-it-takes-to-protect-yemeni-children-1>.
- 34 UNICEF. Yemen Humanitarian Situation Report - Year End. December 31, 2018. https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF_Yemen_Situation_Report_Year_End_2018.pdf.
- 35 UNHCR. Yemen Emergency. February 9, 2018. <https://www.unhcr.org/yemen-emergency.html>.
- 36 UNHCR. Operational Portal: Refugee Situation in Yemen. June 30, 2018. <https://data2.unhcr.org/en/country/yem>.
- 37 UNHCR. Yemen Update: 1-21 September 2018. <https://reliefweb.int/report/yemen/yemen-unhcr-update-1-21-september-2018-enar>.
- 38 Abdiker, Mohammed. Yemen: The deadly migration route that the world is ignoring. June 20, 2018. <https://www.cnn.com/2018/06/20/opinions/yemen-migration-iom/index.html>.
- 39 U.S. Department of State. Trafficking in Persons Report- 2019: Yemen. Washington, DC: June, 20, 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/yemen/>.
- 40 UN Human Rights Council. Situation of human rights in Yemen, including violations and abuses since September 2014. A/HRC/39/43. August 17, 2018. https://www.ohchr.org/Documents/Countries/YE/A_HRC_39_43_EN.docx.
- 41 El Sirgany, Sarah. Firing guns, finding bodies: Life for Yemen's child soldiers. February 3, 2018. <https://www.cnn.com/2018/02/02/middleeast/yemen-child-soldiers-intl/index.html>.
- 42 Al-Arashi, Fakhri. Slavery in Yemen: A Shocking Truth. September 6, 2014. <https://nationalyemen.com/2014/09/06/slavery-in-yemen-a-shocking-truth/>.
- 43 Al Jazeera Slavery in Yemen. September 10, 2014. <https://www.youtube.com/watch?v=hCVCKAC8WHo>.
- 44 UNICEF. If not in School. March 2018. https://www.unicef.org/mena/sites/unicef.org.mena/files/2018-03/IF_NOT_IN_SCHOOL_March2018_English_0.pdf.
- 45 UNICEF. Yemen Humanitarian Situation Report - Year End. 2017. https://www.unicef.org/appeals/files/UNICEF_Yemen_Humanitarian_Situation_Report_Year_End_2017.pdf.
- 46 Bailes, Adam. Yemen's Hidden War. Australian Broadcasting Corporation. November 30, 2015. <https://www.abc.net.au/news/2015-12-01/on-the-ground-in-the-yemen-war/6985854>.
- 47 Amnesty International. Yemen: Huthi forces recruiting child soldiers for front-line combat. February 28, 2017. <https://www.amnesty.org/en/latest/news/2017/02/yemen-huthi-forces-recruiting-child-soldiers-for-front-line-combat/>.
- 48 U.S. Yemen Affairs Unit- Jeddah. Reporting. October 22, 2018.
- 49 U.S. Department of State. Yemen 2017 Human Rights Report. April 20, 2018. <https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/yemen>.
- 50 Equal Rights Trust. From Night to Darker Night: Addressing Discrimination and Inequality in Yemen. June 2018. https://www.equalrightstrust.org/ertdocumentbank/Yemen_EN_online_version.pdf.
- 51 El Rajji, Rania. "Even War Discriminates": Yemen's Minorities, Exhiled at Home. Minority Rights Group International. January 13, 2016. https://minorityrights.org/wp-content/uploads/2016/01/MRG_Brief_Yemen_Jan16.pdf.
- 52 Government of Yemen. Ministerial Order No 11 of 2013: List of Activities Prohibited and Activities Permitted for Working Children under the age of 18. Enacted: March 16, 2013. <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/106494/130671/F-895523001/yem106494 arab.pdf>.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

- 53 Government of Yemen. Penal Code as Amended, Law No. 12. Enacted: 1994.
<http://www.refworld.org/docid/3fec62f17.html>.
- 54 Government of Yemen. Law No. 45 of 2002 on the Rights of the Child. Enacted: November 19, 2002. Source on file.
- 55 Government of Yemen. Law No. 45 of 1992 on General Education. Enacted: December 31, 1992. Source on file.
- 56 CIA. The World Factbook: Yemen. 2018.
<https://www.cia.gov/library/publications/the-world-factbook/geos/ym.html>.
- 57 Government of Yemen. Labor Code as Amended, Law No. 5. Enacted: 1995.
<http://www.ilo.org/dyn/natlex/docs/WEBTEXT/44043/65001/E95YEM01.htm>.
- 58 UN Human Rights Council. Children and armed conflict: Report of the Special Representative of the Secretary-General for Children and Armed Conflict. A/HRC/40/49. December 26, 2018.
https://www.un.org/ga/search/view_doc.asp?symbol=A/HRC/40/49&Lang=E&Area=UNDOC.
- 59 UN Office of the Special Representative to the Secretary-General on Children in Armed Conflict. Children, Not Soldiers: Yemen Signs Action Plan to End Recruitment and Use of Children by Armed Forces. May 14, 2014.
<https://childrenandarmedconflict.un.org/press-release/yemen-signs-action-plan/>.
- 60 UN. Safe Schools Declaration. 2015.
http://protectingeducation.org/sites/default/files/documents/safe_schools_declaration-final.pdf.
- 61 Global Coalition to Protect Education from Attack. Yemen endorses Safe Schools Declaration in advance of UN Security Council Debate on Children and Armed Conflict. October 27, 2017: Press Release.
<http://protectingeducation.org/news/yemen-endorses-safe-schools-declaration-advance-un-security-council-debate-children-and-armed>.
- 62 UNICEF. Yemen Crisis Humanitarian Situation Report (2-15 December 2015).
<http://reliefweb.int/report/yemen/unicef-yemen-crisis-humanitarian-situation-report-2-15-december-2015>.

In 2018, Zambia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government developed national action plans on Child Labor and Anti-Human Trafficking in line with Zambia's 7th National Development Plan. It also increased the number of inspectors, significantly increased the number of labor inspections conducted, identified 511 child labor law violations, and achieved 5 convictions for the crime of child trafficking. In addition, the government published studies that provide insights into child labor and child commercial sexual exploitation and included child labor for the first time in its Labor Force Survey. However, children in Zambia engage in the worst forms of child labor, including in agriculture and commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. The Education Act does not specify a compulsory education age, and human trafficking laws are discordant with international standards because they require threats, the use of force, or coercion to be established for the crime of child trafficking. In addition, labor inspectors lack sufficient resources to enforce child labor laws.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Zambia engage in the worst forms of child labor, including in agriculture and commercial sexual exploitation, sometimes as a result of human trafficking. (1,2) Table 1 provides key indicators on children's work and education in Zambia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	28.1 (992,722)
Attending School (%)	5 to 14	65.2
Combining Work and School (%)	7 to 14	27.6
Primary Completion Rate (%)		78.7

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2019. (3)

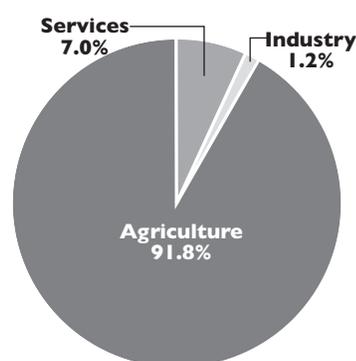
Source for all other data: International Labor Organization's Analysis of Statistics from the Labour Force Survey, 2008. (4)

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	Work in the production of cotton,† tobacco,† and other cash crops, including applying fertilizers, grading or ridging fields, harvesting crops, spraying pesticides,† transplanting, watering, and weeding crops (1,5,6)
	Raising and herding† cattle (1,6,7)
	Fishing,† working on boats, and cutting and smoking fish (6,8)
	Production of charcoal† (6)

Figure 1. Working Children by Sector, Ages 5-14



MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Industry	Mining gems, including amethysts and emeralds (9)
	Mining ore, including lead, zinc, iron ore, and copper (9)
	Work in quarries, including carrying heavy loads,† conducting rudimentary mine drilling,† crushing stones, and scavenging mine dump sites (6,7,10)
Services	Domestic work (6,11,12)
	Street work, including begging and vending (6,11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2)
	Forced labor in agriculture, construction, domestic work, mining, and textile production, each sometimes as a result of human trafficking (2)

† 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.

Children trafficked within Zambia are primarily trafficked from rural to urban areas for domestic work and forced labor in agriculture. (2,9,13) Some children in Zambia are forced by *Jerabo* gangs, which are illegal mining syndicates in the Copperbelt province, to load trucks with stolen copper ore. Along Zambia’s borders, the commercial sexual exploitation of children is common. (2) In September 2018, immigration authorities intercepted a truck with 23 Congolese nationals aboard, including 9 children, who were suspected of being victims of human trafficking. (14) In 2018, the Government of Zambia and UNICEF published studies on child poverty and violence against children. The study on child poverty reports that adolescents ages 14 to 17 are three times more likely to be engaged in child labor than children ages 5 to 13. (15) The study on violence against children reports that girls ages 13 to 17 are engaged in commercial sexual exploitation. (16) Although the government has conducted regular Labor Force Surveys and published the results in 2011, 2014, and 2016, it had yet to collect and release child labor data. To address this, in 2018, the government included a specific child labor module in the Labor Force Survey; the data are being analyzed and are scheduled for release in 2019. (17-19)

Long distances to schools create a barrier to education, particularly in rural areas. (1,20,21) Families also face costs for basic education, including fees for school supplies, which prevent some children from attending school. (1,12) Inadequate educational infrastructure, a lack of materials, and a high student-to-teacher ratio further hinder students. (6,21) In addition, the inability to access birth certificates and the prevalence of the early marriage of girls increase the vulnerability of children to child labor. Children without birth certificates are not able to enroll in school, and once girls marry, they are removed from school and sometimes required to work outside the household. (14,15,22)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Zambia has ratified most 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

Zambia's legal framework to adequately protect children from the worst forms of child labor, including an undefined age range for compulsory education and lack of a list of activities considered to be light work, as required by Zambian law.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 24 of the Constitution; Article 12 of the Employment Act (23-25)
Minimum Age for Hazardous Work	Yes	18	Article 17B(2) of the Employment of Young Persons and Children Act; Article 3 of the Prohibition of Employment of Young Persons and Children (Hazardous Labor) Order (26,27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Prohibition of Employment of Young Persons and Children (Hazardous Labor) Order (27)
Prohibition of Forced Labor	Yes		Articles 14 and 24 of the Constitution; Articles 143 and 263 of the Penal Code; Article 3 of the Anti-Human Trafficking Act of 2008 (23,25,28,29)
Prohibition of Child Trafficking	No		Article 17 of Amendment to the Constitution; Article 143 of the Penal Code; Articles 2–3 (1–4) of the Anti-Human Trafficking Act of 2008 (23,25,28,29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 144 of the Penal Code; Article 2 of the Prohibition of Employment of Young Persons and Children (Hazardous Labor) Order 2013 (27,29)
Prohibition of Using Children in Illicit Activities	Yes		Article 2 of the Prohibition of Employment of Young Persons and Children (Hazardous Labor) Order 2013 (27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 14 of the Defence Act (30)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 3 of the Anti-Human Trafficking Act of 2008 (28)
Compulsory Education Age	No		Article 16 of the Education Act, 2011 (31)
Free Public Education	Yes		Article 15 of the Education Act, 2011 (31)

* No conscription (31)

The Employment of Young Persons and Children Amendment Act No.10 of 2004 calls for the identification of light work activities for children ages 13 to 15; however, these activities are not yet determined. (32) Penalties for adults convicted of engaging children in prostitution in the Employment of Young Persons and Children Act are different from those in the Penal Code. Although the Penal Code treats child prostitution as a felony, with a minimum 20-year jail sentence, the Employment of Young Persons and Children Act treats it differently and imposes a fine of \$35 to \$165 and possible discretionary prison time. (27,29) In addition, human trafficking provisions remain discordant with international standards because they require threats, the use of force, or coercion to be established for the crime of child trafficking. (28)

In February 2019, the Parliament approved the Employment Code Act, 2019, which consolidates all labor laws and will take effect in May 2019. (33)

The Education Act requires the government to provide free education up to the seventh grade and stipulates that education is compulsory for children of “school-going age.” (9,31) The Act, however, does not set a specific age or define “school-going age,” which may allow children to leave school before they are legally able to work. (31) The lack of standards in this area may increase the risk of children’s involvement in the worst forms of child labor.

MODERATE ADVANCEMENT

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 Social Security (MLSS) 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 Social Security (MLSS)	Implements, enforces, and regulates child labor laws. (9,18,34) Advises other government agencies on child labor issues and coordinates government efforts to combat child labor. (6,18)
Ministry of Home Affairs	Enforces criminal laws against human trafficking, child commercial exploitation, use of children as soldiers, and use of children in illegal activities. (14)
Industrial Relations Court	Imposes penalties for child labor law violations. (14) Research was unable to determine whether the Industrial Relations Court imposed any sanctions for child labor violations in 2018.
Zambia Police Service Child Protection Unit	Works with MLSS, the District Street Children Committees, and the Ministry of Youth, Sports, and Child Development to identify and remove vulnerable children from the streets. Places rescued street children with families, in foster care, or in children's homes. (17) Works with immigration officials to combat child trafficking, with local officials to combat crimes against children, and with schools to educate and sensitize children about abuse. Collaborates with the Ministry of Justice to investigate and prosecute child labor cases. (14)
Zambia Police Service Victim Support Unit	Handles the enforcement of laws against human trafficking, commercial sexual exploitation, and the use of children in illicit activities. (34,35)
Ministry of Community Development and Social Welfare	Provides social services to victims of human trafficking or sexual abuse. Operates one government shelter in Luapula province and oversees two NGO shelters. (2,14)
Ministry of Justice	Investigates and prosecutes child labor cases. (36)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Zambia took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLSS that may hinder adequate enforcement of child labor laws, including human and financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (37)	Unknown (14)
Number of Labor Inspectors	134 (2,14)	155 (14)
Inspectorate Authorized to Assess Penalties	No (6)	No (14)
Initial Training for New Labor Inspectors	N/A (6)	Yes (14)
Training on New Laws Related to Child Labor	N/A (6)	Yes (14)
Refresher Courses Provided	No (6)	Unknown (14)
Number of Labor Inspections Conducted	723 (6)	1,533 (14)
Number Conducted at Worksite	723 (6)	1,533 (14)
Number of Child Labor Violations Found	Unknown	511 (14)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (18)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (14)
Routine Inspections Conducted	Yes (6)	Yes (14)
Routine Inspections Targeted	Yes (6)	Unknown (14)
Unannounced Inspections Permitted	Yes (6)	Yes (14)
Unannounced Inspections Conducted	Yes (6)	Yes (14)
Complaint Mechanism Exists	Yes (6)	Yes (14)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (14)

In 2018, the MLSS increased the size of the inspectorate to 155 labor inspectors. (14) However, the number of labor inspectors likely remains insufficient for the size of Zambia's workforce, which includes approximately 6.9 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000

workers in less developed economies, Zambia would employ about 172 inspectors. (38,39) The MLSS has stated that an insufficient budget, insufficient office space, inadequate training, and a lack of transportation and fuel have prevented it from adequately conducting inspections countrywide. (6,40) The MLSS conducts labor inspections in registered private institutions only; it does not conduct investigations, allowed by law, in unregistered institutions where child labor is more likely to be found. (41) In 2018, the MLSS removed 2,787 children from child labor. A referral mechanism exists through District Child Labor Committees that allows labor officers to refer cases to NGOs. (14) The government did not provide information on its labor inspectorate funding, penalties imposed and collected for child labor violations, and whether it conducted target inspections for inclusion in this report.

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Zambia took actions to combat child labor (Table 7). However, gaps exist within criminal enforcement agencies that may hinder adequate criminal law enforcement, including the allocation of financial and human resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	N/A (6)	Yes (42)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (6)	Unknown (42)
Refresher Courses Provided	No (6)	Unknown (42)
Number of Investigations	Unknown	38 (42)
Number of Violations Found	Unknown	Unknown (14)
Number of Prosecutions Initiated	Unknown	3 (42)
Number of Convictions	Unknown	5 (42)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (42)

In 2018, the government trained more than 1,000 law enforcement officials, coordinated with the government of Botswana to repatriate two Zambian minors trafficked to that country, and assisted 14 child victims of human trafficking. In addition, the government partnered with the IOM to refurbish a protective shelter for vulnerable migrants, including victims of human trafficking. (42) Despite these actions, government agencies do not have sufficient financial and human resources to address human trafficking, nor do they have consistent procedures to screen and identify human trafficking victims. Research did not uncover official reports of child commercial sexual exploitation cases. (42) The government did not provide information regarding criminal enforcement training, the number of child labor violations found, and whether penalties were imposed for violations related to the worst forms of child labor for inclusion in this report.

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 may hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
MLSS-Child Labor Unit	Coordinates with District Child Labor Committees (DCLCs) in Zambia's 114 districts to increase local awareness and mobilize communities against child labor, including its worst forms. (9,34) In 2018, educated communities on the dangers of child labor and identified and withdrew victims of child labor in the town of Kaoma, in Western Province. In addition, coordinated the commemoration of the June 12 World Day Against Child Labor at district and community levels. (14,43)
Inter-Ministerial Committee on Anti-Human Trafficking	Leads efforts to address human trafficking. (42) In 2018, updated the National Action Plan on Human Trafficking, Mixed and Irregular Migration to strengthen the implementation of the Anti-Human Trafficking Act and better respond to cases of human trafficking. (42)

MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
DCLC	Responds to child labor complaints at the local level, files complaints to MLSS, and serves as the main referral mechanism for social welfare services. Comprises the Zambia Police Service; MLSS; the Ministry of Community Development, Mother, and Child Health; and civil society stakeholders. (14) In 2018, 40 DCLCs were active, including in areas where child labor in tobacco production is prevalent. (44,45)
National Steering Committee on Child Labor (NSCL)	Advises and oversees child labor matters, including implementation of the Hazardous Work Statutory Instrument. Comprises government representatives, employers, trade unions, and civil society members. (14,46) In 2018, NSCL developed the National Action Plan for Child Labor (2018–2022) and conducted awareness-raising activities. (14,44,46)

In 2018, the government carried out awareness-raising campaigns to combat human trafficking; in partnership with IOM, the government completed and operationalized a place of safety in Sesheke district; continued to upgrade shelters for vulnerable migrants, including victims of human trafficking in Chipata and Kapiri Mposhi districts; and worked with the UNODC to review human trafficking laws. Other activities included the reintegration of eight child victims of human trafficking back into their communities. (42) However, overlapping responsibilities and communication lapses among government agencies may hinder their ability to implement their mandates. (6,47)

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 lack of implementation of policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Child Labor Policy	Sets strategies to address child labor issues. Strategies include working with local communities to develop programs to assist children who are vulnerable to child labor. (9,48) In 2018, the government developed the National Action Plan for the Elimination of Child Labor (2018–2022), which will be reviewed by key stakeholders across the country before it is officially approved. The National Plan is part of the implementation of the Child Labor National Policy and is a follow-up to pledges made at the 2017 Global Conference on the Sustained Eradication of Child Labor. (33,49) It also conducted awareness-raising activities to prevent child labor. (50)
7th National Development Plan (2017–2021)	Outlines Zambia’s strategy to promote inclusive economic growth and national development. Seeks to improve access to quality education and reduce poverty by 20 percent by 2021. In 2018, the government, in partnership with ILO, completed the review and final drafting of the Zambia Decent Work Country Program 2019–2022. In addition, ILO provided technical and financial support to MLSS to carry out consultative review workshops for the National Action Plan for the Elimination of Child Labor at district and national levels. (43,51)
Vision 2030	Sets Zambia’s long-term sustainable development goals. Aims to eliminate child labor and improve quality education by 2030. In 2018, the government provided training to DCLC members on the integrated approach to child labor elimination and sponsored scholarships and educational opportunities for at-risk children, as well as provided technical support to district and community-level efforts to address child labor. (43,52)
National Youth Policy	Outlines Zambia’s strategies to ensure that social programs benefit vulnerable youth, including victims of sexual exploitation and human trafficking. (53) In 2018, the Ministry of Youth, Sport, and Child Development distributed Information and Communication Technology equipment to youths in 60 districts as part of its goal to provide entrepreneurial training to at-risk youths. (54)
National Employment and Labor Market Policy	Outlines policy framework to promote decent work, including child labor elimination. (14) In 2018, the government drafted an updated National Employment and Labor Market Policy to be approved by the Zambian cabinet. (19)
UN’s Sustainable Development Partnership Framework (2016–2021)	\$806 million framework that builds upon the previous UNDAF but with a stronger emphasis on partnership. (55) Aims to prevent the worst forms of child labor and protect children. In 2018, established mentorship and youth apprenticeship opportunities for at-risk children, and supported programs reintegrating victims of the worst forms of child labor into education. (43,56)

The government has not included child labor elimination and prevention strategies in the Education Policy. (57)

In 2018, the government hosted an international conference on artisanal and small-scale mining and quarrying, which included discussions on child labor in mining. One of the outcomes of the conference was the development of the Mosi-oa-Tunya Declaration on Artisanal and Small-scale Mining, Quarrying and Development, which calls for the need to combat the worst forms of child labor. (58)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

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

Table 10. Key Social Programs to Address Child Labor

Program	Description
EMPOWER: Increasing Economic and Social Empowerment for Adolescent Girls and Vulnerable Women in Zambia (2016-2020)	\$5 million, 4-year, USDOL-funded project implemented by Winrock International to address child labor. (50) To date, more than 1,000 girls have participated in training courses on rural entrepreneurship and leadership life skills. (33) Additional information is available on the USDOL website.
DREAMS	U.S. President's Emergency Plan for AIDS Relief/USAID project that aims to reduce rates of HIV among adolescent girls and young women, including girls vulnerable to commercial sexual exploitation, in Kenya, Lesotho, Malawi, Mozambique, South Africa, Swaziland, Tanzania, Uganda, Zambia, and Zimbabwe. (59,60) In 2018, this initiative in Zambia prioritized orphans and vulnerable children, including adolescent girls vulnerable to commercial sexual exploitation, benefiting 653,600 individuals. (43,59)
Service Efficiency and Effectiveness for Vulnerable Children and Adolescents*	Joint initiative with USAID and UNICEF that improves child protection services for children and adolescents, including children vulnerable to child labor, in 15 districts. The program launched in 2018. (61)
Achieving Reduction of Child Labor in Support of Education	Joint initiative with Japan Tobacco International, Winrock International, and ILO that seeks to combat the worst forms of child labor in tobacco-growing communities in Brazil, Malawi, Tanzania, and Zambia. To date, more than 4,000 children have participated in this initiative in Zambia. (20,62)
Social Cash Transfer Program†	Provides funds to families and increases school enrollment. (14,63) In 2018, the government increased its support of this program to \$56 million (721 million kwacha), targeting 700,000 households. (14,43)
Zambia National Service Skills Training Camps‡	Provides life skills training camps for at-risk youth, including for victims of the worst forms of child labor. The program currently has 18 centers across the country. (64) In 2018, the government allocated \$1.3 million (16.8 million kwacha) toward youth skills training under the Zambia National Service. (43)
World Bank-funded Projects	Projects to improve access to education, particularly for girls. Includes: Education Enhancement Project (2017–2022), a \$60 million project to improve math and science instruction in primary and secondary schools; and Girls' Education and Women's Empowerment and Livelihood Project (GEWEL) (2015–2020), a \$64 million project to provide livelihood support to extremely poor households and increase secondary school enrollment for girls. (47,65) By the end of 2018, the GEWEL Project supported 16,239 girls in secondary school. (65)

* Program was launched during the reporting period.

† Program is funded by the Government of Zambia

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (9,66)

Although Zambia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem in all relevant sectors, particularly regarding child labor in agriculture, domestic work, and commercial sexual exploitation.

In 2018, the President of Zambia ordered an audit of the conditional cash transfer program due to corruption allegations. In September 2018, donors such as the UK Department of International Development and the Swedish International Development Cooperation Agency suspended funding for the program, and the President dismissed the Minister of Community Development and Social Welfare. (14,67) Seventy percent of the program is funded by the government, and international donors provide the remaining 30 percent. (14,67)

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 Zambia (Table 11).

MODERATE ADVANCEMENT

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2018
	Determine through statutory instrument the “school-going age” for compulsory education, consistent with international law.	2012 – 2018
	Determine list of light work activities for children ages 13 to 15.	2018
	Harmonize legislation to ensure that penalties for child commercial sexual exploitation are consistent.	2009 – 2018
	Ensure that laws prohibiting child trafficking do not require threats, the use of force, or coercion for an act to be considered child trafficking.	2017 – 2018
	Publish information on law enforcement efforts, including training, investigations, number of child labor violations found, and penalties imposed for violations related to the worst forms of child labor.	2014 – 2018
Enforcement	Publish information regarding the labor inspectorate’s funding.	2018
	Authorize the labor inspectorate to assess penalties, while ensuring that the Industrial Relations Court is able to carry out its intended mandates.	2017 – 2018
	Increase the number of labor inspectors to meet the ILO’s technical advice.	2012 – 2018
	Ensure that labor inspectors receive adequate training and resources to enforce labor laws throughout the country and that inspections cover all areas in which children work, including registered and unregistered businesses.	2010 – 2018
	Develop and implement consistent procedures to screen and identify human trafficking victims.	2018
	Improve lines of communication and clarify responsibilities among agencies to improve effectiveness and referrals to social services.	2011 – 2018
Coordination	Integrate child labor elimination and prevention strategies into the Education Policy.	2013 – 2018
Government Policies	Publish child labor data, including results of the child labor module of the Labor Force Survey.	2011 – 2018
Social Programs	Provide free education to all children as required by law, improve school infrastructure, increase the number of qualified teachers, decrease the distance students must travel to access education, and increase birth certificate registration.	2012 – 2018
	Expand existing programs to address the full scope of the child labor problem in all relevant sectors, including agriculture, mining, domestic work, and commercial sexual exploitation.	2011 – 2018
	Ensure that the conditional cash transfer program has control and accountability mechanisms in place to prevent corruption.	2018

REFERENCES

- ILO-IPEC. A Rapid Assessment on child labour in tobacco-growing communities in Kaoma District, Zambia. 2014. http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_24856/lang-en/index.htm.
- U.S. Department of State. Trafficking in Persons Report- 2018: Zambia. Washington, DC: June 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/zambia/>.
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>.
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Labour Force Survey, 2008. Analysis received March 12, 2019. Please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Maingaila, Francis. Zambia faces up to blight of child labor. Clear The Air News Tobacco Blog May 3, 2016. <http://tobacco.cleartheair.org.hk/?p=13978>.
- U.S. Embassy- Lusaka. Reporting. January 16, 2018.
- Kumwenda, Mwape. Child Labor Cases High in Zambia. 2016. Source on file.
- Nawa, Doreen. Children speak out on child labour Vs education challenge. Daily Mail, May 31, 2016. <https://www.daily-mail.co.zm/?p=68100>.
- U.S. Embassy- Lusaka. Reporting. January 16, 2014.
- ZKidsExtra. Child Labour - Stone Crushing [YouTube Video]. Zambia: Zkidsextra, 2013, 1 min. 44 sec. December 23, 2014. <https://www.youtube.com/watch?v=UuQHYDo3w-8>.
- Zimba, Miriam. “Child labour still evident in Zambia.” Lusaka Voice, March 28, 2014. <http://lusakavoice.com/2014/03/28/child-labour-still-evident-in-zambia/>.
- Chanda, Patrick. Impact of Child Domestic Labour on Children’s Education: A Case Study of Lusaka City in Zambia. European Scientific Journal, Special Edition, August 2014. <http://ejournal.org/index.php/esj/article/view/4021/3832>.
- U.S. Embassy- Lusaka. Reporting. February 25, 2015.
- U.S. Embassy- Lusaka. Reporting. January 15, 2019.
- Government of Zambia. Child Poverty in Zambia. Lusaka: UNICEF. 2018 <https://www.unicef.org/zambia/media/1176/file>.
- Government of Zambia, UNICEF, et al. Violence against Children in Zambia. Lusaka. 2018. <https://www.unicef.org/zambia/reports/violence-against-children-zambia-study>.
- U.S. Embassy- Lusaka. Reporting. January 15, 2016.
- U.S. Embassy- Lusaka official. Email communication to USDOL official. April 29, 2016.
- ILO-Zambia. Email communication to USDOL official. March 11, 2019.

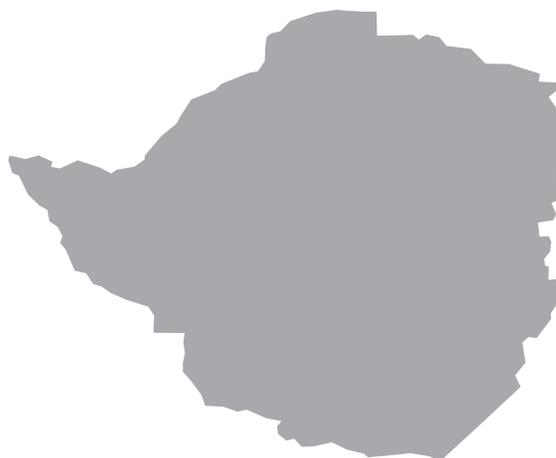
- 20 ARISE. A Journey Together: Annual Review 2017. 2018. http://ariseprogram.org/files/8415/2872/7578/ARISE_Annual_Review_2017.pdf.
- 21 UN General Assembly Human Rights Council. Summary of Stakeholders' submissions on Zambia - Report of the Office of the United Nations High Commissioner for Human Rights. August 18, 2017: A/HRC/WG.6/28/ZMB/3. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/242/01/PDF/G1724201.pdf?OpenElement>.
- 22 Government of Zambia. National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*: Zambia. Human Rights Council, Working Group on the Universal Periodic Review, Twenty-eighth session. October 26, 2017. <https://www.ohchr.org/EN/HRBodies/UPR/Pages/ZMIndex.aspx>.
- 23 Government of Zambia. Zambia Constitution. Enacted: August 24, 1991. <http://unpan1.un.org/intradoc/groups/public/documents/cafrad/unpan004847.pdf>.
- 24 Government of Zambia. The Employment Act, Chapter 268 of The Laws of Zambia. Enacted: 1956. http://www.parliament.gov.zm/sites/default/files/documents/acts/Employment_Act.pdf.
- 25 Government of Zambia. Constitution of Zambia (Amendment) Act, 2016. Enacted: May 23, 2016. http://www.parliament.gov.zm/sites/default/files/documents/bills/CONSTITUTION_AMENDMENT_BILL_No.37_2016.pdf.
- 26 Government of Zambia. Employment of Young Persons and Children Act (Amendment), 2004. Enacted: September 8, 2004. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/82353/90114/F103895610/ZMB82353.pdf>.
- 27 Government of Zambia. Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order, No. 121. Enacted: December 27, 2013. <http://www.ilo.org/dyn/natlex/docs/SERIAL/95833/113000/F-1150065941/ZMB95833.pdf>.
- 28 Government of Zambia. The Anti-Human Trafficking Bill, 2008. Enacted: September 26, 2008. http://ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=79940&p_country=ZMB&p_count=182.
- 29 Government of Zambia. The Penal Code Act, as amended. Enacted: 2005. http://www.unodc.org/res/cld/document/zmb/1931/the_penal_code_act_html/Zambia_Penal_Code_Act_1930_as_amended_2005.pdf.
- 30 Government of Zambia. Defence Act. Enacted: 1964. Source on file.
- 31 Government of Zambia. Education Act of 2011. Enacted: 2011. Source on file.
- 32 ILO. Application of International Labor Standards 2019. Minimum Age Convention, 1973 (No. 138) (ratification: 1976). January 2019. https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/WCMS_669784/lang-en/index.htm.
- 33 Winrock International. Technical Progress Report, EMPOWER: Increasing Economic and Social Empowerment for Adolescent Girls and Vulnerable in Zambia. Arlington, April 30, 2019. Source on file.
- 34 U.S. Embassy- Lusaka. Reporting. January 28, 2015.
- 35 ILO Committee on the Application of Standards. Discussion of Individual Cases- Zambia: C.App./PV.15. June 2017. http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_557880.pdf.
- 36 U.S. Department of State official. Email communication to USDOL official. May 31, 2013.
- 37 U.S. Embassy- Lusaka official. Email communication to USDOL official. July 19, 2018.
- 38 CIA. The World Factbook. Accessed March 15, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/fields/2095.html>.
- 39 UN. World Economic Situation and Prospects 2017 Statistical Annex. New York: 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf.
- 40 ILO Committee of Experts. Individual Direct Request concerning Labour Inspection Convention, 1947 (No. 81) (ratification: 2013) and Labour Inspection (Agriculture) Convention, 1969 (No. 129) (ratification: 2013) Published: 2017. Accessed October 25, 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3300004.
- 41 U.S. Embassy Lusaka official. Email communication to USDOL official. April 17, 2015.
- 42 U.S. Embassy- Lusaka. Reporting. February 28, 2019.
- 43 U.S. Embassy- Lusaka official. Email communication to USDOL official. July 9, 2019.
- 44 Winrock International. EMPOWER: Increasing Economic and Social Empowerment for Adolescent Girls and Vulnerable in Zambia. Technical Progress Report. March 31, 2018. Source on file.
- 45 ILO official. Email communication to USDOL. March 11, 2019
- 46 Winrock International. Technical Progress Report, EMPOWER: Increasing Economic and Social Empowerment for Adolescent Girls and Vulnerable in Zambia. September 30, 2018. Source on file.
- 47 The World Bank. Education Enhancement Project (PI58570). Implementation Status & Results Report. December 27, 2018 <http://documents.worldbank.org/curated/en/475261545933390030/pdf/Dislosable-Version-of-the-ISR-Zambia-Education-Enhancement-Project-PI58570-Sequence-No-03.pdf>.
- 48 Government of Zambia. National Child Labour Policy. 2011. http://www.eclt.org/wp-content/uploads/2013/08/National_Child_Labour_Policy_Securing_a_Better_Future_for_Our_Children.pdf.
- 49 Global Conference on the Sustained Eradication of Child Labor. Pledges. November 14-16, 2017. <http://www.childlabour2017.org/en/resources/updates/pledges>.
- 50 Winrock International. Technical Progress Report, EMPOWER: Increasing Economic and Social Empowerment for Adolescent Girls and Vulnerable in Zambia. Arlington, March 31, 2018. Source on file.
- 51 Government of Zambia. 7th National Development Plan. Lusaka, 2017. <http://extwprlegs1.fao.org/docs/pdf/zam170109.pdf>.
- 52 Government of Zambia. Vision 2030. Lusaka, 2006. <http://unpan1.un.org/intradoc/groups/public/documents/cpsil/unpan040333.pdf>.
- 53 Government of Zambia. 2015 National Youth Policy. Lusaka, August 2015. http://www.myscd.gov.zm/?wpfb_dl=46.
- 54 Countrywide distribution of ICT equipment for youths completed. Lusaka Times, December 15, 2018. <https://www.lusakatimes.com/2018/12/15/countrywide-distribution-of-ict-equipment-for-youths-completed/>.
- 55 UN Zambia. The United Nations Development Assistance Framework (UNDAF). Accessed May 18, 2018. <http://www.zm.one.un.org/undaf>.
- 56 UN, and Government of Zambia. Zambia–United Nations Sustainable Development Partnership Framework (2016-2021). 2016. http://www.ilo.org/addisababa/countries-covered/zambia/WCMS_465095/lang-en/index.htm.
- 57 Government of Zambia. Educating our Future: National Policy on Education. May 1996. <http://www.moge.gov.zm/download/policies/Educating-Our-Future-National-Policy-on-Education.pdf>.
- 58 International Conference on Artisanal and Small-Scale Mining & Quarrying. Mosi-oa-Tunya Declaration on Artisanal and Small-scale Mining, Quarrying and Development. Lusaka, September, 2018. Source on file.

Zambia

MODERATE ADVANCEMENT

- 59 USAID. DREAMS: Partnership to Reduce HIV/AIDS in Adolescent Girls and Young Women. March 7, 2018.
<https://www.usaid.gov/what-we-do/global-health/hiv-and-aids/technical-areas/dreams>.
- 60 Bell, Emily. A Zambian teen returns to school and stays HIV-free. PACT, November 11, 2018.
<https://www.pactworld.org/features/support-pact-zambian-teen-returns-school-and-stays-hiv-free>.
- 61 UNICEF. USAID-funded \$10 Million Child and Family Welfare Programme Launched by Zambia. Lusaka, August 31, 2018.
<https://www.unicef.org/zambia/press-releases/usaaid-funded-10-million-child-and-family-welfare-programme-launched-zambia>.
- 62 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Zambia (ratification: 1976) Published: 2017.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID:3292558.
- 63 Arruda Pedro, et al. The Impact of Zambia's Unconditional Child Grant on Schooling and Work: Results from a large-scale social experiment. Brasilia: International Policy Centre for Inclusive Growth Report Research Brief No. 62. June 2018.
https://www.ipc-undp.org/pub/eng/PRB62_A_brief_history_of_Zambia_s_social_cash_transfer_programme.pdf.
- 64 Government of Zambia, Ministry of Youth Sport and Child Development. Vocational and training. Accessed April 3, 2019.
http://www.myscd.gov.zm/?page_id=5382.
- 65 The World Bank. Girls Education and Womens Empowerment and Livelihood Project (PI 51451) Implementation Status & Results Report. December 21, 2018.
<http://documents.worldbank.org/curated/en/127261545427335036/pdf/Dislosable-Version-of-the-ISR-Girls-Education-and-Womens-Empowerment-and-Livelihood-Project-PI51451-Sequence-No-07.pdf>.
- 66 World Food Programme. Zambia WFP Activities. Accessed November 13, 2014.
<http://www.wfp.org/countries/zambia/operations>.
- 67 Austin, Rod. Zambia sacks minister over claims UK aid cash was embezzled. The Guardian, September 19, 2018.
<https://www.theguardian.com/global-development/2018/sep/19/zambia-aid-payments-suspended-over-corruption-allegations>.

In 2018, Zimbabwe made a moderate advancement in efforts to eliminate the worst forms of child labor. The government continued to implement the Trafficking in Persons Action Plan, developed a national referral mechanism to assist victims of human trafficking, and established guidelines to improve coordination of anti-trafficking efforts. In addition, it increased budget allocations for the Basic Education Assistance Module and Harmonized Social Cash Transfer programs with the aim of reaching 500,000 vulnerable children and 60,000 households, respectively. However, children continue to engage in the worst forms of child labor, including in commercial sexual exploitation, mining, and tobacco production. Children also engage in child labor in agriculture. Law enforcement agencies lack resources to enforce child labor laws. In addition, gaps remain in the country's legal framework against child labor, such as the lack of free basic education, which increases children's vulnerability to child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Zimbabwe engage in the worst forms of child labor, including in commercial sexual exploitation, mining, and tobacco production. Children also engage in child labor in agriculture. (1-5) Table 1 provides key indicators on children's work and education in Zimbabwe. 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	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		88.9

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2019. (6)
Data were unavailable from the International Labor Organization's analysis of statistics, 2019. (7)

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	Farming, including the production of tea, cotton, tobacco, corn, and sugarcane (1,8-15)
	Fishing, including casting nets, hauling fish loads, and sorting fish (8-10,12,15)
	Forestry, such as dragging logs from felling sites and loading logs for transport (8,11,12)
	Cattle herding (8,12)
Industry	Mining gold and chrome, using dangerous chemicals such as cyanide and mercury, and extracting material from underground passages and quarries† (8,9,16,17)
Services	Street work, including vending and begging (8,10,11,15,18-20)
	Domestic work (2,8,11,12,15,21,22)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including drug trafficking and gambling (9)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3-5,8,9,11,12,23-25)
	Working in agriculture, mining for the production of gold and chrome, and domestic work, each sometimes as a result of human trafficking(2,9,23)

† 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.

Zimbabwe

MODERATE ADVANCEMENT

A 2018 report on child labor and working conditions in tobacco production in Zimbabwe found that children ages 12 to 17 work on tobacco farms. Some children work on their family farms while others are hired as paid laborers to perform activities such as planting, weeding, harvesting, and grading tobacco. (26) A survey in gold mining areas found that children are hired as transporters by gold miners to carry ore in sacks and pan for gold. (27) Zimbabwean children living in border towns are trafficked to Botswana, South Africa, Mozambique, and Zambia, where they become victims of commercial sexual exploitation and forced labor in domestic work. Zimbabwean children, especially orphans, are sometimes lured by relatives with the promise of education or adoption, but instead are recruited to work within the country as domestic workers or forced to work in mining, drug smuggling, or other illegal activities. (2,28) In addition, the deterioration of Zimbabwe's economy, along with drought and cholera outbreaks, increase the vulnerability of children to labor exploitation. (29-31) An NGO conducted research that revealed that girls under age 18 engaged in commercial sex due to push factors, such as the breakdown of the family unit, poverty, and gender-based violence. (4,32)

Birth registration is derived from birth within the country, but many children, especially orphans and children living in rural areas, are not registered due to poverty and lack of awareness of the requirements. (9,24) Beginning in grade seven, children are unable to sit for exams without a birth registration, leading some to enter the workforce at a young age. (9,15) School fees are often prohibitively expensive and limit access to education. (10,33) According to the UN, children with disabilities, especially in rural areas, experience greater abuse, violence, stigma, and exclusion, and, therefore, have limited access to education. (24)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Zimbabwe 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 Zimbabwe's legal framework to adequately protect children from the worst forms of child labor, including access to free public education.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Section 3 of the Labor Relations Amendment Act (34)
Minimum Age for Hazardous Work	Yes	18	Section 11(4) of the Labor Relations Amendment Act (34)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 11(4) of the Labor Relations Amendment Act; Section 10A of the Children's Protection and Adoption Act (34,35)
Prohibition of Forced Labor	Yes		Sections 54–55 of the Constitution; Section 4A of the Labor Relations Amendment Act (34,36)
Prohibition of Child Trafficking	Yes		Section 3 of the Trafficking in Persons Act (37)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 87 of the Criminal Law Act; Section 3 of the Sexual Offenses Act; Section 8(2) of the Children's Protection and Adoption Act; Section 3 of the Trafficking in Persons Act (35,37-39)
Prohibition of Using Children in Illicit Activities	Yes		Section 156 of the Criminal Law Act; Section 10 of the Children's Protection and Adoption Act (9,35,39)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Sections 5 and 10 of the National Service Act (40)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Section 9 of the National Service Act (40)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	12‡	Section 5 of the Education Act (41)
Free Public Education	No		

‡ Age calculated based on available information (42)

Zimbabwean law does not mandate free basic education for children. (43) Lack of access to basic education may increase the risk of children's involvement in child labor. (9) In addition, children in Zimbabwe are required to attend school only up to age 12. This standard makes children ages 12 to 15 vulnerable to child labor because they are not required to attend school and not legally permitted to work. (42) To address this, in December 2018, the Cabinet approved an amendment to the Education Amendment Bill, which will guarantee free access to public education at the primary and secondary levels. The Bill was published in the Government Gazette in February 2019 and is under debate within Parliament. (44,45)

In May 2018, the Parliament approved an amendment to the Mines and Minerals Amendment Bill, which includes the revocation of a mining license if miners engage in the use of child labor. In September, the President rejected the amendment due to concerns raised by stakeholders. (46,47) As a result, the Parliament is conducting consultations to revise the proposed amendment. (47,48)

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 authority of the Ministry of Public Service, Labor, and Social Welfare (MPSLSW) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service, Labor, and Social Welfare (MPSLSW)	Enforces labor and anti-trafficking laws and investigates labor-related complaints, including complaints involving child labor. Has a Department for Child Welfare and Probation Services responsible for child protection services, including investigating, intervening in, and reporting on child abuse cases. (9,11,28)
Zimbabwe Republic Police (ZRP)	Enforces laws related to the worst forms of child labor in conjunction with the MPSLSW and the Ministry of Justice, Legal and Parliamentary Affairs. (9) Addresses issues related to child labor and human trafficking through victim-friendly units in every district. Conducts transnational human trafficking investigations through an anti-trafficking desk at Zimbabwe's INTERPOL office. (9,28)
Ministry of Justice, Legal and Parliamentary Affairs	Oversees all courts, including labor courts. Addresses human trafficking and child victim cases through victim-friendly courts. (9)

Labor Law Enforcement

In 2018, labor law enforcement agencies in Zimbabwe took actions to combat child labor (Table 6). However, gaps exist within the authority of the MPSLSW that may hinder adequate labor law enforcement, including lack of authority to assess penalties.

Zimbabwe

MODERATE ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (33)	Unknown (49)
Number of Labor Inspectors	120 (33)	Unknown (49)
Inspectorate Authorized to Assess Penalties	No (33)	No (49)
Initial Training for New Labor Inspectors	N/A (33)	Unknown (49)
Training on New Laws Related to Child Labor	N/A (33)	Yes (50)
Refresher Courses Provided	Unknown (33)	Unknown (49)
Number of Labor Inspections Conducted	Unknown (33)	Unknown (49)
Number Conducted at Worksite	Unknown (33)	Unknown (49)
Number of Child Labor Violations Found	Unknown (33)	Unknown (49)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (33)	Unknown (49)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (33)	Unknown (49)
Routine Inspections Conducted	Yes (33)	Yes (49)
Routine Inspections Targeted	Yes (33)	Unknown (49)
Unannounced Inspections Permitted	Yes (33)	Yes (49)
Unannounced Inspections Conducted	Yes (33)	Unknown (49)
Complaint Mechanism Exists	Yes (33)	Yes (49)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (33)	Yes (49)

The MPSLSW's inspectorate has assigned designated agents who conduct inspections in specific regions and labor inspectors who conduct inspections in all regions. (51) It is unclear whether designated agents conduct child labor investigations in the informal sector. Labor inspectors lack the authority to assess penalties, and inspectors also oversee arbitration and conciliation, which strains their capacity to conduct onsite investigations to combat child labor. (51)

The number of labor inspectors is likely insufficient for the size of Zimbabwe's workforce, which includes approximately 7.9 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Zimbabwe would employ about 527 labor inspectors. (52) Research indicates that the government continues to lack sufficient resources, mainly financial, to investigate child labor law violations. (8,53) The government did not provide information on its labor law enforcement efforts for inclusion in this report.

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Zimbabwe took actions to combat child labor (Table 7). However, gaps exist within the operations of the MPSLSW that may hinder adequate criminal and labor law enforcement, including the publication of enforcement data.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (33)	Unknown (28)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (33)	Unknown (28)
Refresher Courses Provided	Unknown (33)	Unknown (28)
Number of Investigations	Unknown (33)	0 (28)
Number of Violations Found	4 (54)	0 (28)
Number of Prosecutions Initiated	Unknown (33)	2 (28)
Number of Convictions	Unknown (33)	2 (28)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (33)	Yes (49)

In 2018, the government initiated two prosecutions related to human trafficking cases. Both cases included several children who were victims of human trafficking for labor and commercial sexual exploitation. (28) The

government also worked with IOM and other stakeholders to develop a national referral mechanism to identify and assist victims of human trafficking. (28) However, the government did not provide information on its criminal law enforcement training.

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 the efficacy of coordination activities.

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

Coordinating Body	Role & Description
National Steering Committee to Address the Worst Forms of Child Labor	Addresses the worst forms of child labor. Chaired by the MPSLSW and includes the Ministries of Health and Child Care; Primary and Secondary Education; and Youth Development, Indigenization, and Empowerment. (55) Also includes international organizations and civil society groups, such as workers' and employers' organizations. (55) Research could not determine whether the committee met during the year. (49)
Ministry-Level Committee on Children's Issues	Coordinates government ministries' efforts related to children's issues, including child labor. Includes the MPSLSW and the Ministries of Education; Women's Affairs; and Youth Development, Indigenization, and Empowerment. (9, 11, 55) Research could not determine whether this body had activities in 2018.
Anti-Trafficking Inter-Ministerial Committee (ATIMC)	Coordinates actions to combat human trafficking, including the implementation of the Trafficking in Persons National Plan of Action. (8, 56) The ATIMC met quarterly in 2018. (49)
National Coordinating Forum*	Promotes collaboration between government and non-government actors. Established in 2018 under guidelines of the Trafficking in Persons National Plan of Action (NAPLAC). (50)
National Task Force on Street Children	Outlines strategies to combat child labor, including feeding street children at drop-in centers, reuniting children with their families, and offering counseling sessions. Chaired by the MPSLSW and includes NGOs that work on street children's issues. (9, 55) Also includes the Ministry of Home Affairs, represented by the ZRP. (33) The National Task Force on Street Children did not meet in 2018 due to a lack of resources. (49, 57)
Child Protection Committees	Operate at the village, ward, district, provincial, and national levels to discuss issues affecting children, including child labor. (33) Representatives include ministries, civil society, local volunteers, and teachers. Report to the ministry-level Committee on Children's Issues. (33) In 2018, Child Protection Committees met on an irregular basis. (57)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2018, the government, in partnership with the Zimbabwe National Council for the Welfare of Children, published a child labor handbook that provides information on child labor laws. (49) However, government information on the efforts by coordinating bodies to address child labor is limited. In addition, a lack of resources prevented the National Task Force on Street Children and the Child Protection Committees from fully carrying out their mandates. (57)

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 insufficient mainstreaming of child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Child Labor	Strengthens understanding of child labor issues and creates an entity to coordinate responses to the findings. Consists of three focus areas: (1) education assistance; (2) poverty assistance through a cash transfer scheme; and (3) health assistance. (9) Research indicates the government took no actions during the period to operationalize this policy. (49)
National Social Protection Framework (NSPF)	Aims to improve social protection system, including promoting decent work. (31) Research was unable to determine whether activities were undertaken to implement NSPF during the reporting period.

Zimbabwe

MODERATE ADVANCEMENT

Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
Trafficking in Persons National Plan of Action (NAPLAC) (2016–2018)	Aimed to implement the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons through the development of strategies to combat human trafficking, with emphasis on prevention, protection, prosecution, and partnership. (49,58) In 2018, the government conducted awareness-raising activities, carried out a self evaluation of the NAPLAC, and adopted guidelines to set up the National Coordinating Forum to promote collaboration between government and non-government actors. (50)
Zimbabwe UN Development Assistance Framework (2016–2020)	Integrates child labor prevention strategies in the Education for All campaign headed by the UN. Promotes gender equality, reduction of HIV/AIDs prevalence, and allocates social resources to address child labor. (59) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

In 2018, under a multi-nation migration project implemented by IOM with funding from the EU, one-time in-kind technical support was provided to the Government of Zimbabwe Trafficking in Persons Secretariat in the form of a public address system, office furniture, and stationary to help implement the Trafficking in Persons National Plan of Action (NAPLAC) and to begin establishing five Provincial Trafficking in Persons Task Forces in the provinces of Manicaland, Masvingo, Bulawayo, Mashonaland East, and Mashonaland Central. (60)

The National Social Protection Framework (NSPF) aims to provide strategies that address poverty and labor market interventions, among others, though the policy does not explicitly include child labor prevention and elimination measures. There is no indication that the government made efforts during 2018 to operationalize the NSFP. (31,33) Government information on policy efforts to address child labor has been limited.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that may contribute to the prevention or elimination of 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
Phase III of the National Action Plan for Orphans and Vulnerable Children (2016–2020)	UNICEF Child Protection Fund (CPF) program, supported by the United Kingdom Department of International Development (DFID), that focuses on equity and access to quality education for children and provides child protection services. Provides cash assistance for families to keep children in school. (31,61,62) In 2018, CPF provided services to more than 40,000 children and began to conduct a Multiple Indicator Cluster Survey to collect child protection data. (63)
Harmonized Social Cash Transfer (HSCT)†	An unconditional cash transfer program that targets vulnerable children and families. In 2018, the government allocated \$11 million to the HSCT program, which is 10 percent more than in 2017. (31)
Stop Child Labor Program	Hivos (a Dutch NGO)-funded program that establishes child labor-free zones throughout the country. The program includes the MPSLSW, Coalition Against Child Labor in Zimbabwe, African Network for the Prevention and Protection Against Child Abuse and Neglect, Progressive Teachers Union of Zimbabwe, Zimbabwe Teachers' Association, and the General Agriculture and Plantation Workers Union. (12) Teachers, labor inspectors, police officers, and other stakeholders support this initiative by sending child laborers back to school. (64) Research was unable to determine whether activities were undertaken to implement the Stop Child Labor Program during the reporting period.
Basic Education Assistance Module (BEAM)†	Government program, with support by DFID, that provides basic financial assistance to families for education costs, such as tuition and examination fees. Aims to keep children in school and to enroll children who lack access to school as a result of economic hardship. (65) In 2018, the government allocated \$20 million to the BEAM project, which is 50 percent more than in 2017. (31)
Donor-Funded Programs	DREAMS, a President's Emergency Plan for AIDS Relief/USAID project that aims to reduce rates of HIV among adolescent girls and young women, including girls vulnerable to commercial sexual exploitation, in Kenya, Lesotho, Malawi, Mozambique, South Africa, Swaziland, Tanzania, Uganda, Zambia, and Zimbabwe. (66) In 2018, this initiative in Zimbabwe prioritized orphans and vulnerable children, including adolescent girls. (67) Zimbabwe Accountability and Artisanal Mining Program, a German state-owned, DFID bank-funded project that improves occupational safety and health standards in artisanal and small-scale gold mining and raises awareness of child labor among informal gold miners. (27) Zimbabwe Education Development Fund Phase II (2012–2019), a DFID bank-funded initiative implemented by UNICEF that promotes equitable and quality education. As of May 2018, this initiative has provided educational services to more than 2.5 million primary school children, most of them in the poorest areas, and 900,000 secondary school children; in addition, it has built 33 special schools for children with disabilities. (68)

† Program is funded by the Government of Zimbabwe.

In 2018, the Registrar General's office continued to implement a mobile birth registration program across the country to ensure that citizens receive identity documents, including birth certificates. (69) Every district in the country has mobile teams to support this program. (28) Although Zimbabwe has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially child labor in agriculture, mining, and commercial sexual exploitation.

An evaluation of the Harmonized Social Cash Transfer (HSCT) program, published in 2018, found that this program mitigated poverty, improved child protection outcomes, and helped families improve their food security. However, the program has limited coverage and funding. (70) Furthermore, HSCT participants do not automatically qualify for other social programs funded by the government or civil society organizations due to a lack of coordination at the local level. (70)

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 Zimbabwe (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Ensure that the age up to which education is compulsory is the same as the minimum age for work.	2016 – 2018
	Approve the Education Amendment Bill that establishes free basic education for children through age 16.	2009 – 2018
Enforcement	Ensure that inspectors have sufficient capacity, training, and resources to conduct core inspection duties including child labor inspections.	2017 – 2018
	Authorize the labor inspectorate to assess penalties for labor law violations.	2017 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2018
	Ensure sufficient funding, human resources, and training for criminal law enforcement officials to enforce criminal labor laws.	2009 – 2018
	Publish information about the labor inspectorate's funding, number of inspectors, training for new employees, refresher courses provided, labor inspections conducted, labor inspections conducted at worksites, violations found, penalties imposed and collected, and routine and unannounced inspections .	2016 – 2018
	Publish information on the government's criminal law enforcement efforts relating to child labor, including the training system for criminal investigators conducted.	2015 – 2018
Coordination	Ensure that child labor committees are active and receive sufficient resources to address the worst forms of child labor.	2016 – 2018
Government Policies	Integrate child labor prevention and elimination measures in relevant policies, such as the National Social Protection Framework.	2017 – 2018
	Implement the National Action Plan to Combat Child Labor.	2010 – 2018
Social Programs	Publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2018
	Ensure that children are registered at birth to facilitate their entrance into secondary school, including through expanding the work of the mobile registration teams.	2014 – 2018
	Ensure that children with disabilities have equal access to education.	2016 – 2018
	Expand the Harmonized Social Cash Transfer program and develop coordination mechanisms to improve implementation at the local level.	2018
	Expand existing social programs to address child labor, especially child labor in agriculture, commercial sexual exploitation, and mining.	2010 – 2018

REFERENCES

- NewsDay. The sad story of Arda Transau villagers. January 16, 2017. <https://www.newsday.co.zw/2017/01/sad-story-arda-transau-villagers/>.
- U.S. Department of State. Trafficking in Persons Report- 2018: Zimbabwe. Washington, DC. June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/zimbabwe/>.
- Bulawayo 24 News. Zimbabwe's corridors of sexual horror. March 16, 2017. <http://bulawayo24.com/index-id-opinion-sc-columnist-byo-106443.html>.
- Murungweni, Maxim. Organisation steps up fight against sexual exploitation of children. The Herald, September 30, 2017. <http://www.herald.co.zw/organisation-steps-up-fight-against-sexual-exploitation-of-children/>.

MODERATE ADVANCEMENT

- 5 NewsDay. Sex exploitation of teenage girls rife. March 4, 2017. <https://www.newsday.co.zw/2017/03/sex-exploitation-teenage-girls-rife/>.
- 6 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 16, 2019. <http://data.uis.unesco.org/>. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 7 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 12, 2019. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 8 U.S. Embassy- Harare. Reporting. January 11, 2016.
- 9 U.S. Embassy- Harare. Reporting. January 10, 2014.
- 10 Integrated Regional Information Networks. Zimbabwe's ailing economy fuelling child labour. January 9, 2014. <http://www.irinnews.org/report/99443/zimbabwe-s-ailing-economy-fuelling-child-labour>.
- 11 U.S. Embassy- Harare. Reporting. January 15, 2015.
- 12 U.S. Embassy- Harare. Reporting. January 18, 2017.
- 13 Bara, Energy. Zimbabwe fails to deal with child labour scourge. African Independent. August 11, 2017. <https://www.africanindy.com/news/zimbabwe-fails-to-deal-with-child-labour-scourge-10723133>.
- 14 Chikwanha, Happiness. Child labour thrives in farms? The Sunday Mail, January 15, 2017. <http://www.sundaymail.co.zw/child-labour-thrives-in-farms/>.
- 15 World Atlas. Worst Countries for Child Labor. April 25, 2017. Source on file.
- 16 Makoshori, Shame. No gold glitters in artisanal mining...as women, children are exploited. Financial Gazette, June 25, 2015. <http://www.financialgazette.co.zw/no-gold-glitters-in-artisanal-mining-as-women-children-are-exploited/>.
- 17 ILO Committee of Experts. Individual Direct Request concerning Worst Form of Child Labor Convention, 1999 (No. 182) Zimbabwe (ratification: 2000) Published: 2017. Accessed November 26, 2017. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3289915:YES.
- 18 Mananavire, Bridget. Nearly 5 000 children live on streets. March 20, 2017. <https://www.dailynews.co.zw/articles/2017/03/20/nearly-5-000-children-live-on-streets>.
- 19 Muradzikwa, Sam. Child poverty fuelling child labor worldwide. The Chronicle, June 14, 2017. <http://www.chronicle.co.zw/child-poverty-fuelling-child-labour-worldwide/>.
- 20 The Herald. Zimbabwe: A Child Rescued Is a Child Saved. March 22, 2017. <http://allafrica.com/stories/201703220664.html>.
- 21 Mandizha, Ruzvidzo. Poverty breeds child workers. September 11, 2015. <http://www.thezimbabwean.co/2015/09/poverty-breeds-child-workers/>.
- 22 UNICEF. Zimbabwe Humanitarian Situation Report 6. June 30, 2016. http://www.unicef.org/appeals/files/UNICEF_Zimbabwe_Humanitarian_SitRep_30_June_2016.pdf.
- 23 U.S. Embassy- Harare. Reporting. February 13, 2015.
- 24 UN Committee on the Rights of the Child. Concluding observations on the second periodic report of Zimbabwe. Geneva, March 7, 2016: Report No. CRC/C/ZWE/CO/2. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/044/47/PDF/G1604447.pdf?OpenElement>.
- 25 Government of Zimbabwe. Ministerial Statement, Recorded Commercial Child Sexual Exploitation in Harare. October 4, 2017. <http://veritaszim.net/node/2220>.
- 26 Human Rights Watch. A Bitter Harvest: Child Labor and Human Rights Abuses on Tobacco Farms in Zimbabwe. USA. April 2018. https://www.hrw.org/sites/default/files/report_pdf/zimbabwe0418_web_2.pdf.
- 27 PACT. Hazardous Child Labour in Zimbabwe's Artisanal and Small-Scale Mining Sector. Email communication. March 6, 2019. Source on file.
- 28 U.S. Embassy- Harare. Reporting. February 28, 2019.
- 29 BBC News. Zimbabwe Country Profile. February 15, 2018. <http://www.bbc.com/news/world-africa-14113249>.
- 30 Burke, Jason. Zimbabwe's economic crisis will deepen without aid, ruling party warns. The Guardian. October 19, 2018. <https://www.theguardian.com/world/2018/oct/19/zimbabwe-needs-aid-to-prevent-further-crisis-warns-ruling-party>.
- 31 UNICEF. UNICEF 2018 Social Protection Budget Brief. Harare. April 2018. <https://www.unicef.org/esaro/UNICEF-Zimbabwe-2018-Social-Protection-Budget-Brief.pdf>.
- 32 Saunyama, Jairos. Living conditions fuel child sexual exploitation in Hopley. NewsDay, August 19, 2017. <https://www.newsday.co.zw/2017/08/living-conditions-fuel-child-sexual-exploitation-hopley/>.
- 33 U.S. Embassy- Harare. Reporting. March 7, 2018.
- 34 Government of Zimbabwe. Labour Relations Amendment Act, 2002, Chapter 28:01 Part IV:11. Enacted: 2002. Source on file.
- 35 Government of Zimbabwe. Children's Protection and Adoption Act (Act No. 22 of 1971 as amended through Act No. 9 of 1997). Enacted: 1971. <https://cyber.harvard.edu/population/zimbabwe/child.protect.htm>.
- 36 Government of Zimbabwe. Constitution of Zimbabwe. Enacted: May 6, 2015. http://www.parlzim.gov.zw/images/documents/Constitution-of-Zimbabwe-Amendment_No_20_-_14-05-2013.pdf.
- 37 Government of Zimbabwe. Trafficking in Persons Act. Enacted: 2014. http://www.justice.gov.zw/Units/Trafficking/MainDocs/Zimbabwe_Trafficking_in_Persons_Act_2014.pdf.
- 38 Government of Zimbabwe. Sexual Offences Act, Law 8. Enacted: 2001. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/64993/122047/F-1750780524/ZWE64993.pdf>.
- 39 Government of Zimbabwe. Criminal Law Act of 2004. [https://www.zimlil.org.zw/legislation/num-act/2004/23/CriminalLaw\(CodificationandReform\)Act\[Chapter9-23\].pdf](https://www.zimlil.org.zw/legislation/num-act/2004/23/CriminalLaw(CodificationandReform)Act[Chapter9-23].pdf).
- 40 International Humanitarian Law: National Implementation. National Service Act: Acts 19/1979, 22/2001. Accessed April 4, 2019. <https://ihl-databases.icrc.org/applic/ihl/ihl-nat.nsf/implementingLaws.xsp?documentId=F66BE5AEF3C149ABC125771B005D03B5&action=OpenDocument>.
- 41 Government of Zimbabwe. Education Act, Chapter 25:04. Enacted: 2001. <http://www.unesco.org/education/edurights/media/docs/d0945389cdf8992e8cb5f3a4b05ef3b3aa0e6512.pdf>.
- 42 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Zimbabwe (ratification: 2000) Published: 2017. Accessed March 14, 2017. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3289911:NO.
- 43 ILO Committee of Experts. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Zimbabwe (ratification: 2000) Published: 2014. Accessed April 11, 2014. http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3139004.
- 44 Government of Zimbabwe. Education Amendment Bill. February 15, 2019. <http://www.veritaszim.net/node/3418>.
- 45 Zimbabwe situation. Education Amendment Bill gets Cabinet nod. December 20, 2018. <https://www.zimbabwe-situation.com/news/education-amendment-bill-gets-cabinet-nod/?PageSpeed=noscript>.

- 46 NewsDay. Mnangagwa rejects Mines Bill. Harare. September 19, 2018. <https://www.newsday.co.zw/2018/09/mnangagwa-rejects-mines-bill/>.
- 47 Chikasha, Jonathan President Mnangagwa Returns Mines and Minerals Amendment Bill of 2015 to Parliament. Harare. September 19, 2018. <https://news.pindula.co.zw/2018/09/19/president-mnangagwa-returns-mines-and-minerals-amendment-bill-of-2015-to-parliament/>.
- 48 Langa, Veneranda, 'New Mines Bill to regulate artisanal miners'. February 21, 2019. <https://www.newsday.co.zw/2019/02/new-mines-bill-to-regulate-artisanal-miners/>.
- 49 U.S. Embassy- Harare. Reporting. February 26, 2019.
- 50 U.S. Embassy- Harare. Reporting. February 28, 2019.
- 51 ILO Committee of Experts. Individual Direct Request concerning Labor Inspection Convention, 1947 (No. 81) Zimbabwe (ratification: 1993) and Labor Inspection (Agriculture) Convention, 1969 (No. 129) Zimbabwe (ratification: 1993) Published: 2017. Accessed November 26, 2017. http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298230.
- 52 CIA. The World Factbook. Accessed March 18, 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/Library/publications/the-world-factbook/rankorder/2095rank.html>.
- 53 UN Human Rights Council. Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21: Zimbabwe. Geneva. August 25, 2016: Report No. A/HRC/WG.6/26/ZWE/2. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/188/94/PDF/G1618894.pdf?OpenElement>.
- 54 The Zimbabwe Mail. Katswe Sistahood calls for arrest of paedophiles ...as 54 girls rescued from sexual exploitation. September 20, 2017. <http://www.thezimbabwemail.com/zimbabwe/katswe-sistahood-calls-arrest-paedophiles-54-girls-rescued-child-sexual-exploitation/>.
- 55 U.S. Embassy- Harare official. Email communication to USDOL official. April 14, 2015.
- 56 U.S. Embassy- Harare. Reporting. February 21, 2014.
- 57 U.S. Embassy- Harare official. Email communication to USDOL official. July 9, 2019.
- 58 International Organization for Migration. Zimbabwe Launches Trafficking in Persons National Plan of Action. August 5, 2016: Press Release. <http://www.iom.int/news/zimbabwe-launches-trafficking-persons-national-plan-action>.
- 59 UNDAF. Supporting Inclusive Growth & Sustainable Development. Zimbabwe United Nations Development Assistance Framework - ZUNDAF 2016-2020. Accessed November 27, 2017. [http://www.zw.one.un.org/sites/default/files/Publications/UNZimbabwe/ZUNDAF 2016 - 2020.pdf](http://www.zw.one.un.org/sites/default/files/Publications/UNZimbabwe/ZUNDAF%202016%20-%202020.pdf).
- 60 IOM. UN Migration Agency Supports National Response to Human Trafficking in Zimbabwe. April 20, 2018. Accessed online: June 7, 2019. <https://www.iom.int/news/un-migration-agency-supports-national-response-human-trafficking-zimbabwe>.
- 61 Makwanya, Musekiwa. Child protection agenda: Agenda for the future. The Herald, December 7, 2016. <http://www.herald.co.zw/child-protection-agenda-agenda-for-the-future/>.
- 62 UK Department for International Development. Child Protection Fund Phase II for the National Action Plan for Orphans and other Vulnerable Children (CPF II for NAP) - Zimbabwe. December 12, 2018. <https://devtracker.dfid.gov.uk/projects/GB-I-204831>.
- 63 DFID. Child Protection Fund Phase II for the National Action Plan for Orphans and other Vulnerable Children (CPF II for NAP) - Zimbabwe. Logical framework 204831 (Published - December, 2018) December 2018. <https://devtracker.dfid.gov.uk/projects/GB-I-204831/documents>.
- 64 U.S. Embassy- Harare official. Email communication to USDOL official. May 9, 2016.
- 65 The Herald. DFID Pledges US\$10m to Beam. March 5, 2014. <http://www.herald.co.zw/dfid-pledges-us10m-to-beam/>.
- 66 USAID. DREAMS: Partnership to Reduce HIV/AIDS in Adolescent Girls and Young Women. March 7, 2018. <https://www.usaid.gov/what-we-do/global-health/hiv-and-aids/technical-areas/dreams>.
- 67 PEPFAR. Zimbabwe Country Operational Plan 2018. March 15, 2018. <https://www.pepfar.gov/documents/organization/285847.pdf>.
- 68 DFID. Annual Review: Education Development Fund Phase II (EDF). May 2, 2019. <https://devtracker.dfid.gov.uk/projects/GB-I-202641/documents>.
- 69 U.S. Embassy- Harare. Reporting. May 18, 2018.
- 70 University of North Carolina-Chapel Hill. Zimbabwe's Harmonized Social Cash Transfer Program: Endline Impact Evaluation Report. Chapel Hill, North Carolina. April 2018. https://www.unicef.org/evaldatabase/files/HSCT_Endline_Report_Final_Zimbabwe_2018-001.pdf.

WHAT CAN YOU



DO TO HELP ADDRESS CHILD LABOR AND FORCED LABOR?

ASK QUESTIONS.



Could some of the goods I buy be made by child labor or forced labor?

Do workers have a voice to speak out against labor abuses?

What are companies doing to end child labor and forced labor in global supply chains?

What are governments doing to combat child labor and forced labor?

TAKE ACTION.



Empower yourself with knowledge and download USDOL's **Sweat & Toil** and **Comply Chain** apps.

Make your voice heard by spreading the word among friends, family, and the companies you buy from and invest in.

Show your support for organizations that are working to end these abuses.

DEMAND CHANGE.



Advocate for a world in which:

Workers everywhere can raise their voices against child labor, forced labor, and other abuses.

Companies make serious commitments to ensure that global supply chains are free of products made by child labor and forced labor, especially those on USDOL's **List of Goods Produced by Child Labor or Forced Labor**.

Your investments have a positive social impact by promoting responsible labor practices.

Governments work vigorously to adopt the country-specific suggested actions in USDOL's **Findings on the Worst Forms of Child Labor**.

Learn more: dol.gov/EndChildLabor
To contact us, please email GlobalKids@dol.gov



www.dol.gov/ilab

For more information or to contact us, please visit USDOL's website at:

<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> or email us at: GlobalKids@dol.gov



Office of Child Labor, Forced Labor, and Human Trafficking

Bureau of International Labor Affairs

United States Department of Labor

Access our Sweat & Toil mobile app, containing this and other USDOL reports on international child labor and forced labor:

