

In 2019, Benin made a moderate advancement in efforts to eliminate the worst forms of child labor. The Departments of Atlantique and Zou issued decrees prohibiting minors from going to bars and brothels in an attempt to eliminate the use of child labor in those establishments. In addition, Benin hired nearly 50 percent more labor inspectors than it had last year. However, children in Benin engage in the worst forms of child labor, including in the production of cotton and crushed granite, each sometimes as a result of human trafficking. Children also perform dangerous tasks in domestic work and street vending. There are many barriers to education access, especially for children with disabilities. In addition, the government did not publicly release information on some of its labor and criminal law enforcement efforts and limited resources for the adequate enforcement of child labor laws may 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, each sometimes as a result of human trafficking. 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.

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 (%)	N/A	80.7

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2020. (4)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 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† (2,6)
	Capturing,† cleaning, and descaling fish (3)
	Raising livestock† (7)
Industry	Collecting,† crushing,† washing,† and sieving stones† for gold mining,† and gravel† and granite quarrying† (1,8,9)
	Construction, including brickmaking† (8-10)
Services	Domestic work† (1,3,9)
	Working as mechanics† and in the transportation industry† (3,8,9)
	Street vending† (3,9,11,12)
	Dressmaking† and carpentry† (7)
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 (1,8,14)
	Forced begging (15)
	Commercial sexual exploitation, sometimes as a result of human trafficking (8,16)

† 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.

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Trafficking of children occurs mostly within Benin but also to other countries, primarily Gabon, Nigeria, and the Republic of the Congo, and for purposes of domestic work, 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. (1,3,15,17) Traditionally, under a practice known locally as *vidomégon*, children live with relatives or family friends and perform household services in exchange for educational opportunities. Up to 95 percent of these children are girls and many become victims of labor exploitation and sexual abuse. (1,3,15,18)

The Constitution guarantees free compulsory primary education; nevertheless, some parents are expected to pay school fees because many schools lack sufficient funds. (19,20) Evidence suggests that incidences of physical, psychological, and sexual abuse, including corporal punishment, and rape of students by teachers, hamper education access. Corporal punishment was outlawed in Benin in 2015. (3,15,21) Children with disabilities also have limited access to the regular education system, and a lack of reliable transportation forces some children to walk long distances to school. (18,20,22,23) In rural areas, children are often unregistered due to a limited understanding of procedures for receiving a birth certificate and the associated costs. Since birth certificates are required to enroll in school, some unregistered children may be denied access to education. (3,20,24,25)

The government continued the Administrative Census for the Identification of the Population (RAVIP) which will help issue biometric identity cards with a unique identification number. In 2019, RAVIP retroactively registered the births of more than 1 million children over the age of 1 and aided in registering the births of 3,543 children who were younger than age 1. (3) 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 implements programs to assist children engaged in other worst forms of child labor, including in domestic work, commercial sexual exploitation, or agriculture. (13)

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 (26,27)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Hazardous Occupations List (28)

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 Occupations List (28)
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 (26,27,29)
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 (26,27,29,30)
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 (27,29-31)
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 (27,29)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 6 of Law 2005-43 (32)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 6 of Law 2005-43; Title II, Article 32 of the Constitution (19,32)
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 (29)
Compulsory Education Age	Yes	16	Article 24 of Act N° 2003-17; Article 4 of the Law on the Prevention and Repression of Violence Against Women (31,33)
Free Public Education	Yes		Article 13 of the Constitution; Article 114 of the Child Code (19,27)

In 2019, the Departments of Atlantique and Zou issued decrees prohibiting minors from going to bars and brothels in an attempt to eliminate the use of child labor in those establishments. (3) 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. (3,34) In addition, 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. (17,29)

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 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. (13,35) Refers cases of child labor to Social Promotion Centers. (25)
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. (7,14,25) Through the Family and Child Monitoring Office, maintains a database on child trafficking. (14)
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. (17,36) Through OCPM, maintains a child trafficking database to track and process child trafficking cases. OCPM continues to expand local offices throughout the country and provide police with specific training for addressing abuses of children. (3) Through its <i>Brigade des Moeurs</i> (vice squad), addresses human trafficking for sexual exploitation. (3,36)

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There is a Standard Operating Procedure that seeks to improve the quality of services provided by the Office for the Protection of Minors, harmonize police activities, and create a stronger working relationship between the police and other actors involved in child protection. Research was unable to determine whether activities were undertaken during the reporting period. (3,25)

Labor Law Enforcement

In 2019, 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	2018	2019
Labor Inspectorate Funding	\$236,363 (37)	\$207,000 (3)
Number of Labor Inspectors	35 (8)	35 (25)
Inspectorate Authorized to Assess Penalties	Yes (8)	Yes (3)
Initial Training for New Labor Inspectors	Yes (37)	Unknown (3)
Training on New Laws Related to Child Labor	Yes (8)	N/A (3)
Refresher Courses Provided	Yes (37)	No (3)
Number of Labor Inspections Conducted	141 (8)	746 (3)
Number Conducted at Worksite	Unknown (8)	Unknown (3)
Number of Child Labor Violations Found	565 (38)	463 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	2 (8)	2 (25)
Number of Child Labor Penalties Imposed that Were Collected	2 (8)	2 (25)
Routine Inspections Conducted	Yes (8)	Yes (3)
Routine Inspections Targeted	Yes (8)	Yes (3)
Unannounced Inspections Permitted	Yes (8)	Yes (3)
Unannounced Inspections Conducted	Unknown (8)	Unknown (3)
Complaint Mechanism Exists	Yes (8)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (3)

In 2019, 746 labor inspections were conducted in Benin, a dramatic increase over the previous year, with the majority of them occurring in big city open air markets. UNICEF reported that 463 child laborers were referred to protection services. (3) However, labor inspections did not occur in the mining, agriculture, construction, or informal sectors, which are sectors that child labor is known to occur. (3) Also during the year, the government convicted two individuals for two child labor violations. Both received a 1-year suspended prison term and a fine of \$345. (3) In addition to 35 full time labor inspectors, the government has trained an additional 25 administrators and controllers to conduct labor inspections. (25) The number of labor inspectors is likely insufficient for the size of Benin's workforce, which includes more than 3.5 million workers. In order to meet the ILO's suggested ratio of 1 inspector for every 40,000 workers in less developed economies, Benin would need to employ about 92 inspectors. (39,40) Sources indicate that the labor inspectorate's continued lack of financial resources hampered their ability to conduct labor inspections. (3,13) The government did not provide information about the number of inspections conducted at work sites or whether unannounced inspections were conducted. (3)

Criminal Law Enforcement

In 2019, 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	2018	2019
Initial Training for New Criminal Investigators	Unknown (37)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (8)	Yes (3)
Refresher Courses Provided	No (8)	Yes (25,36)
Number of Investigations	188 (14)	2 (3)
Number of Violations Found	Unknown (8)	Unknown (3)
Number of Prosecutions Initiated	44 (38)	Unknown (3)
Number of Convictions	11 (41)	2 (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)	No (3)

Whereas in previous years, there was a mechanism for criminal law enforcement to refer cases of the worst forms of child labor for social services, this year that mechanism was not operational as the government was transitioning to a new referral mechanism. (3,25) The government did not provide information for inclusion in this report on its criminal law enforcement efforts regarding the number of violations found, prosecutions initiated, or the number of penalties imposed for the worst forms of child labor. (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 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 “ <i>Comité Directeur National de Lutte contre le Travail des Enfants</i> ” (CDN)	Coordinates efforts to address child labor and falls under the jurisdiction of the Ministry of Labor and Civil Service. Delegates from the ILO, UNICEF, trade unions, local NGOs, and governmental ministries sit in on the CDN. In August 2019, held a 3-day session attended by 40 officials from the government, NGOs, trade unions, and employers’ associations to assess the implementation of the National Action Plan to Fight Trafficking in Persons. (3)
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. This task force met on an ad hoc basis in 2019. (36)

According to the government, existing mechanisms and procedures to protect and care for abused children are poorly coordinated and do not adequately respond to the needs of vulnerable children. In addition, the National Monitoring and Coordination Working Group for Child Protection (CNSCPE) has not met since 2017. (3,25)

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 and 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)†	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. (3)

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

Policy	Description
Action Plan to Eradicate Child Exploitation in Markets	Aims to eliminate the worst forms of child labor in the major marketplaces in Benin, including Dantokpa in Cotonou, Ouando in Porto-Novvo, and Arzeke 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. (3) In 2019, the government continued its inspection program in the main local open space markets in Dantokpa in Cotonou, Ouando in Porto-Novvo, and Arzeke in Parakou. (3) Extended inspections to workshops, bars, restaurants, and other places where children were targeted. Inspections were coupled with educational sessions in which the government educated 1,272 craftsmen on the laws and policies to prevent child labor in Benin. (3)
Cooperative Agreement to Combat Cross-Border Trafficking†	Signed a tripartite cooperative agreement on December 23, 2019, between Benin, Burkina Faso, and Togo to protect migrant children and victims of trans-border human trafficking. Under the agreement, the three countries commit to cooperate and assist each other in the investigation of human trafficking offences. (3)
National Action Plan to Fight Trafficking in Persons (2019–2025)†	The government developed a National Policy with accompanying National Action Plan to Fight Trafficking in Persons. (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. (21)

The Education Sector Plan (2018-2030) aims to improve access to education, including targeted interventions for orphaned children as well as children outside of the formal education system. However, the Education Sector Plan does not implement nor incorporate child labor elimination and prevention strategies. (6,45)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, 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. (3) The Office for the Protection of Minors (OCPM) also operates an interim care facility for human trafficking survivors before their placement in a long-term shelter. (3,7) In 2019, the OCPM reported it had provided temporary shelter and assistance to 1,387 children. (3)
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. (48) Research was unable to determine whether activities were undertaken to implement the vocational school program during the reporting period.
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. (51) In his 2019 end-of-the-year speech, President Patrice Talon stated that the program benefited 800,000 children and equipped 51 percent of nursery and primary schools in Benin with canteens. (3)
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. (52)

† 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. (13,53-55)

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 implements programs to assist children engaged in other worst forms of child labor, including in domestic work, commercial sexual exploitation, or 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 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 – 2019
	Create meaningful penalties for child trafficking crimes involving labor exploitation.	2014 – 2019
Enforcement	Provide initial training for criminal law enforcement officials and refresher courses on child labor.	2013 – 2019
	Make operational the mechanism that allows criminal authorities and social services to reciprocally refer children found in the worst forms of child labor and trafficking.	2019
	Increase financial resources to enforce laws against child labor.	2009 – 2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2019
	Publish criminal law enforcement data as it relates to the worst forms of child labor including violations found, prosecutions initiated, penalties imposed, and number of violations related to the worst forms of child labor.	2009 – 2019
	Publish data on labor law inspections in Benin including the numbers of inspections conducted at worksites and number of unannounced inspections conducted during the reporting period.	2009 – 2019
	Conduct inspections in sectors where the highest occurrence of child labor is known to occur, including in areas outside of major urban areas.	2019
Coordination	Take measures to coordinate efforts between the National Executive Committee to Combat Child Labor and the National Monitoring and Coordination Working Group for Child Protection (CNSCPE), ensuring that the committees meet quarterly and coordinate mandates.	2013 – 2019
	Create a formal mechanism to coordinate child labor related to enforcement actions between Ministry of Labor, General Directorate of Labor, and the Central Office for the Protection of Minors.	2019
Government Policies	Ensure existing policies addressing child labor are implemented as intended.	2018 – 2019
	Ensure child labor elimination and prevention strategies are integrated into the Education Sector Plan.	2010 – 2019
Social Programs	Increase access to education by eliminating school-related fees, ensuring the safety of children in schools, providing access to schools for children with disabilities, providing reliable transportation to schools, and increasing birth registration rates.	2010 – 2019
	Ensure social programs to address child labor are implemented in accordance with their mandates.	2018 – 2019
	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 – 2019

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